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Regulations

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 9-19; Amdt. 5]

PART 1220—FEED

OIL SEED MEAL SET ASIDE FOR JUNE 1946

War Food Order No. 9-19, as amended (11 F.R. 789, 1145, 2213, 3077, 4445) is hereby further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity to be set aside.* No processor shall deliver oil seed meal to any person unless, at each processing plant operated by him, he shall set aside and hold for delivery as directed by the Order Administrator:

(1) Five percent of his production of oil seed meal during the period from the effective date of this order to and including January 31, 1946;

(2) Five percent of his production of oil seed meal during the month of February 1946;

(3) Five percent of his production of oil seed meal during the month of March 1946;

(4) Ten percent of his production of oil seed meal during the month of April 1946;

(5) Ten percent of his production of oil seed meal during the month of May 1946;

(6) Ten percent of his production of oil seed meal during the month of June 1946.

This amendment shall become effective at 12:01 a. m., e. s. t., June 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals, taken, prior to said date, under War Food Order No. 9-19, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W. F. O. 9, 11 F.R. 669)

Issued this 23d day of May 1946.

[SEAL]

E. A. MEYER,
Assistant Administrator.

[F. R. Doc. 46-8762; Filed, May 23, 1946; 4:14 p. m.]

[WFO 75-8]

PART 1410—LIVESTOCK AND MEATS

CANNED MEAT PRODUCTS

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of canned meat products for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1410.33 *Restrictions upon the canning of meat products—(a) Definitions.*

(1) "Meat product" means any meat food product intended for human consumption consisting principally of beef, veal, pork, lamb or mutton.

(2) "Pack" means to pack meat products in hermetically sealed metal containers and to sterilize such products in such containers by the use of heat.

(3) "Slaughterer" means any person who kills livestock for meat production or who causes livestock to be killed for meat production.

(4) "Meat canner" means any person engaged in the business of packing meat products in hermetically sealed metal containers.

(5) "Federally inspected slaughterer" means any slaughterer whose plant is operated under Federal inspection.

(6) "Federally inspected meat canner" means any meat canner whose establishment is operated under Federal inspection.

(7) "Federal inspection" means inspection under the provisions of the act of March 4, 1907, (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Cong., 2d Sess., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

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(8) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), United States Department of Agriculture (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans' Administration.

(9) "Ship supplier" means any person designated and approved as such by the War Shipping Administration.

(10) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(11) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture to whom the Administrator has delegated, or may hereafter delegate, any or all of the authority vested in him by this order.

(b) *Restrictions upon the canning of meat products.* No federally inspected slaughterer or federally inspected meat canner shall pack meat products in metal cans having a capacity of more than 10.5 ounces unless all meat products so packed are delivered to a governmental agency or ship supplier.

(c) *Specifications.* The Order Administrator is authorized to specify the type, formula, quality, method of preparation, and the size of container of all meat products packed for procurement by a governmental agency or ship supplier.

(d) *Records and reports.* The Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(f) *Violations.* Any person who violates any provisions of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and

shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Administrator. After said review, the Administrator may take such action as he deems appropriate, which action shall be final.

(h) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise herein provided, be addressed to the Order Administrator, War Food Order No. 75-3, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, 5 South Wabash Avenue, Chicago 3, Illinois.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., June 2, 1946.

NOTE: All record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9230, 7 F.R. 10173; E.O. 9577, 10 F.R. 8087, W.F.O. 75, 11 F.R. 4641)

Issued this 28th day of May 1946.

[SEAL] E. A. MEYER,
Assistant Administrator.

[F. R. Doc. 46-6337; Filed, May 23, 1946;
3:40 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[B. A. I. Order 363, Amdt. 3]

PART 93—SPECIAL REGULATIONS GOVERNING EXPORT AND IMPORT OF LIVESTOCK TO AND FROM MEXICO

INSPECTION AND QUARANTINE

By virtue of Article XII of the Convention between the United States of America and the United Mexican States, as proclaimed on January 18, 1930, and under authority conferred upon the Secretary of Agriculture by the Act of Congress approved August 30, 1890, as amended (21 U. S. C. 101-105), and the Act of Congress approved February 2, 1903, as amended (21 U. S. C. 111-113, 120-122) Part 93, Chapter I, Title 9, Code of Federal Regulations (B. A. I. Order 363), as amended, is hereby further amended as follows:

1. Section 93.2 (regulation 2) is amended to read as follows:

§ 93.2 *Designated ports of entry.* With the approval of the Secretary of the Treasury, the following-named ports and subports are hereby designated for the entry of livestock from Mexico:

On the sea coasts: Boston, Mass., New York, N. Y., Baltimore, Md., Jacksonville, Fla., San Juan, Puerto Rico; New

Orleans, La., Galveston, Tex., San Diego, Los Angeles, and San Francisco, Calif., and Seattle, Wash. Along the international boundary: Brownsville, Laredo, Eagle Pass, Del Rio and El Paso, Texas; Douglas and Nogales, Ariz., and Calixico, Calif.

All horses, ruminants, and swine for importation from Mexico shall be entered through one of the aforementioned ports: *Provided, however* That in special cases other ports may be designated by the Chief of Bureau with the concurrence of the customs authorities.

Section 93.3 (regulation 3) is amended to read as follows:

§ 93.3 *Permits required.* For ruminants and swine intended for importation from Mexico, the importer shall first obtain from the Bureau a permit in two sections, one for presentation to the American Consulate in the consular district of origin, the other for presentation to the collector of customs at the port of entry specified therein. The animals will be received at the specified port on the date prescribed for their arrival or at any time during the 3 weeks immediately following, after which time the permit shall be void. If transported by water the animals must be shipped from the port designated in the permit and on a vessel proceeding direct to the United States, without calling at any foreign port. Permits will be issued for entry at any port named in § 93.2 as far as approved quarantine facilities are there available.

3. The following new sections, designated as §§ 93.17 and 93.18 (regulations 17 and 18) are added:

§ 93.17 *Animals in Mexico which have originated in other foreign countries.* No permits as provided in § 93.3 shall be issued for the importation from Mexico of any ruminants or swine which have been brought into that country from other foreign countries until it is established to the satisfaction of the Bureau that the said animals have been in Mexico at least 6 months, exclusive of any period of quarantine to which they may have been subjected upon arrival in that country.

§ 93.18 *Quarantine at port of entry—*
(a) *Period of quarantine.* Ruminants and swine imported from Mexico shall be quarantined at the port of entry for not less than 15 days counting from the date of arrival at the said port.

(b) *Facilities for quarantine and care of animals.* Importers of animals subject to quarantine under this part shall arrange for their care, feeding and handling from the time of arrival at the port of entry to the time of release from quarantine. At ports where facilities are not maintained by the Bureau, importers shall provide suitable facilities for the quarantine of such animals, subject in all cases to the approval of the inspector in charge at the port of entry.

(c) *Inspections and tests during quarantine.* During their quarantine they shall be subject to such inspections, disinfection, blood tests or other tests as may be required by the Chief of Bureau to determine their freedom from disease and the infection of disease.

This amendment, which for purpose of identification is designated Amendment 3 to B. A. I. Order 368, shall be effective on and after June 5, 1946.

Done at Washington this 28th day of May 1946. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-8996; Filed, May 28, 1946;
3:40 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 365]

PART 228—FREE AND REDUCED-RATE TRANSPORTATION

FREE TRAVEL FOR POSTAL EMPLOYEES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 24th day of May, 1946. (Amendment No. 7 of § 228.1 of the Economic Regulations.)

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 405 (m) thereof, hereby makes and promulgates the following regulation:

Effective immediately, subparagraph (3) of paragraph (a) of § 228.1 of the Economic Regulations, as amended, is hereby amended to read as follows:

(3) The Assistant Postmaster General who at the time is charged with the duty of the general management of post offices; and the Assistant Postmaster General who at the time is assigned the supervision of the Air Mail Services, his confidential assistant, and his Deputy Assistant Postmaster General.

(Sec. 205 (a) 52 Stat. 984; 49 U.S.C. 425 (a) Sec. 405 (m) 52 Stat. 997, 49 U.S.C. 485 (m))

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-9028; Filed, May 29, 1946;
10:49 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 399]

PART 402—LOANS AND PROPERTIES

DISPOSITION OF INSURANCE; LOANS PAID IN FULL

Amending Part 402, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.15-28 (10 F.R. 8426) is amended to read as follows:

§ 402.15-28 *Disposition of insurance; loans paid in full.* When a home owner advises that it is his intention to pay his loan in full, the Insurance Section shall be notified immediately. Insurance shall be ordered from the insurer under con-

tract for that which has expired and not been replaced and the cost thereof included in the home owner's statement.

If a loan is to be paid in full through an escrow agent, the Insurance Section shall deliver any direct policies or certificates being held for the account of the home owner to the Comptroller's Division with Forms RO-I-386-A, RO-I-386-B and the carrier's "Release of Mortgage Interest" form.

Upon receipt of a "Paid in Full" notice from the Comptroller's Division, appropriate forms RO-I-386 shall be prepared to inform the home owner properly of the status of the insurance being returned or which has been ordered by the Corporation and the following action shall be taken:

(a) Direct policies and certificates held by the Corporation for the home owner, on which the mortgage clause has been cancelled or released as to the interest of the HOLC, shall be delivered to the Comptroller's Division for return to the home owner. The Insurance Section shall attach Forms RO-I-386-E to such certificates.

(b) An order shall be placed for any insurance which is required to be ordered by the Corporation for the home owner and which will expire prior to the time that the home owner can receive sufficient notice of such expiration. These orders shall be cancelled as of a future date sufficient to permit notice of such cancellation to reach the home owner prior to such future date. Notice to the home owner of short term certificates shall be delivered to the Comptroller's Division to be forwarded to the home owner.

(c) Certificates which have been ordered by the Corporation for expiring insurance for which the home owner has paid the premium shall be delivered to the appropriate party, when received by the Insurance Section, with Form RO-I-386-D.

(d) Any refunds due the home owner shall be returned to him by the Comptroller's Division.

Effective: June 10, 1946.

(Secs. 4 (a) and 4 (k), 48 Stat. 129, 132, 643, 647; 12 U.S.C. and Sup. 1463; E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 46-8994; Filed, May 28, 1946;
2:13 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter D—Regulations Governing the Election of Officers of Indian Tribes

PART 18—REGULATIONS GOVERNING THE ELECTION OF OFFICERS OF THE OSAGE TRIBE

ELECTION PROCLAMATION

Section 18.2 *Election proclamation* is amended to read as set forth below.

§ 18.2 *Election proclamation.* The Principal Chief, or in his absence the

Assistant Principal Chief, shall issue a proclamation not more than seventy-five (75) days nor less than sixty-five (65) days preceding the day appointed by law for the holding of a quadrennial election of officers of the Osage Tribe, and shall name an election board consisting of a Supervisor, Assistant Supervisor, five Judges, four Clerks, and two Interpreters, whose duties shall be to conduct the election as provided in § 18.14 of this part. The proclamation shall meet all the requirements of section 7 of the act of March 2, 1929 (45 Stat. 1478) the place, date, and time for holding the election; qualifications of electors; method of nominating candidates and closing date for same; method for determining the location of the name of each nominee on the ballot; and the names of all members of the election board. A copy of the proclamation, after approval by the Superintendent of Osage Agency, shall be mailed to each qualified elector at his last known address.

Dated May 24, 1946.

PAUL L. FICKINGER,
Acting Commissioner of Indian Affairs.
[F. R. Doc. 46-9023; Filed, May 29, 1946;
10:03 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5516]

PART 19—INCOME TAX UNDER INTERNAL REVENUE CODE; TAXABLE YEARS ENDING DECEMBER 31, 1941

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CARRY-BACKS

Regulations 111 amended to conform to sections 5 and 6 (a) of the Tax Adjustment Act of 1945, relating respectively to the period of limitation in case of carry-backs and to interest in connection with deficiencies resulting from carry-backs and related matters, and, to section 122 (e) and (f) of the Revenue Act of 1945, relating respectively to claims for refund based on carry-backs and to deficiencies attributable to carry-backs.

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) to sections 5 and 6 (a) of the Tax Adjustment Act of 1945 (Public Law 172, 79th Congress) approved July 31, 1945, and to section 122 (e) and (f) of the Revenue Act of 1945 (Public Law 214, 79th Congress) approved November 8, 1945, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding section 293 the following:

SEC. 6. INTEREST IN CONNECTION WITH CARRY-BACKS. (Tax Adjustment Act of 1945.)

(a) Section 292 of the Internal Revenue Code is amended by adding at the end thereof the following new subsection:

(c) *Deficiency resulting from carry-back and related matters.* If any part of a deficiency is determined by the Commissioner to be attributable (A) to a carry-back to which an overpayment described in section 3771 (e), or a decrease determined under section 3780 (b), in any other tax is attributable, or

(B) to an error in the amount or effect of a carry-back which resulted in a credit or refund of an overpayment with interest computed pursuant to section 3771 (c), or in a decrease determined under section 3780 (b), no interest shall be assessed or paid under subsection (a) with respect to such part of the deficiency for any period during which interest was not allowed with respect to such overpayment or for a period prior to the application of such decrease.

PAR. 2. There is inserted immediately preceding § 29.275-1 the following:

SEC. 5. PERIOD OF LIMITATION IN CASE OF CARRY-BACKS. (Tax Adjustment Act of 1945.)

(e) Section 276 of the Internal Revenue Code is amended by inserting immediately following subsection (c) the following new subsection:

(d) *Net operating loss carry-backs and unused excess profits credit carry-backs.* A deficiency attributable to the application to the taxpayer of a net operating loss carry-back or an unused excess profits credit carry-back, including deficiencies which may be assessed pursuant to the provisions of section 3780 (b) and (c), may be assessed at any time prior to the expiration of the period within which a deficiency may be assessed with respect to the taxable year of the claimed net operating loss or unused excess profits credit resulting in such carry-back.

(f) *Effective date.* The amendments made by this section shall be applicable with respect to all taxable years beginning after December 31, 1940, except that the amendment made by subsection (d) shall not be applicable to any taxable year with respect to which the taxpayer and the Commissioner have entered into a closing agreement under the provisions of section 3760, prior to the date of enactment of this Act, in any case in which it is expressly provided in such closing agreement that the tax liability for such taxable year is not to be affected by a net operating loss carry-back or by an unused excess profits credit carry-back.

SEC. 122. REFUND OF EXCESS PROFITS TAX IN 1946. (Revenue Act of 1945.)

(f) *Deficiencies attributable to carry-backs.* (1) Section 276 (d) is amended to read as follows:

(d) *Net operating loss carry-backs and unused excess profits credit carry-backs.* In the case of a deficiency attributable to the application to the taxpayer of a net operating loss carry-back or an unused excess profits credit carry-back, including deficiencies which may be assessed pursuant to the provisions of section 3780 (b) or (c), such deficiency may be assessed:

(1) In case a return was required under subchapter E of chapter 2 for the taxable year of the net operating loss or unused excess profits credit resulting in the carry-back, at any time before the expiration of the period within which (under section 275 or subsection (a) or (b) of this section) a deficiency (with respect to tax imposed either by chapter 1 or by subchapter B or E of chapter 2) for such taxable year (whichever is the longer period) may be assessed; or

(2) In case a return was not required under subchapter E of chapter 2 for the taxable year of the net operating loss or unused excess profits credit resulting in the carry-back, at any time before the expiration of the period within which (under section 275 or subsection (a) or (b) of this section) a deficiency (with respect to tax imposed either by chapter 1 or by subchapter A or B of chapter 2) for such taxable year (whichever is the longer period) may be assessed.

(2) *Effective date.* The amendment made by this subsection shall be applicable with

respect to all taxable years beginning after December 31, 1940.

PAR. 3. Section 29.275-1 is amended by inserting immediately preceding the last paragraph thereof the following:

(k) A special period of limitation is provided in section 276 (d) within which a deficiency in any tax (including a deficiency which may be assessed pursuant to the provisions of section 3780 (b) or (c), relating to tentative carry-back adjustments) which is attributable to the application to the taxpayer of a net operating loss carry-back or an unused excess profits credit carry-back may be assessed. The period within which such a deficiency may be assessed depends, in general, on the period within which a deficiency may be assessed with respect to the taxable year of the net operating loss or the unused excess profits credit which resulted in the carry-back. The period within which such a deficiency may be assessed depends further on whether an excess profits tax return was required to be filed in the case of the given taxpayer for the taxable year of the net operating loss or the unused excess profits credit which resulted in the carry-back. It is immaterial whether an excess profits tax return was required to be filed for the taxable year of the deficiency. The determinative factor is whether an excess profits tax return was required to be filed for the taxable year of the loss or unused credit which resulted in the carry-back.

If an excess profits tax return was required to be filed for the taxable year of the net operating loss or the unused excess profits credit which resulted in the carry-back, a deficiency in any tax attributable to the application to the taxpayer of such carry-back may be assessed at any time prior to the expiration of the period within which (under the provisions of section 275 or 276 (a) or (b) and sections 603 and 729 (a) respectively making such sections 275 and 276 (a) and (b) applicable to subchapters B and E of chapter 2) a deficiency may be assessed with respect to the same or any other tax imposed by chapter 1 or subchapter B or E of chapter 2 for the taxable year of such loss or unused credit. In such case, a deficiency attributable to the application to the taxpayer of a carry-back thus may be assessed at any time prior to the expiration of whichever of the following three periods, each period being determined under the applicable provisions of sections 275, 276 (a) and (b), 603, and 729 (a), expires the latest:

(1) The period within which a deficiency may be assessed with respect to the tax imposed by chapter 1 for the taxable year of the loss or unused credit which resulted in the carry-back;

(2) The period within which a deficiency may be assessed with respect to the declared value excess profits tax, imposed by subchapter B of chapter 2, for the taxable year of the loss or unused credit which resulted in the carry-back;

(3) The period within which a deficiency may be assessed with respect to the excess profits tax, imposed by subchapter E of chapter 2, for the taxable

year of the loss or unused credit which resulted in the carry-back.

If a corporation is not subject to the declared value excess-profits tax for the taxable year of the loss or unused credit which resulted in the carry-back, either because its net income, determined as provided in section 602, for such taxable year is not in excess of 10 percent of its declared value or because such taxable year ended after June 30, 1946, the period within which a deficiency may be assessed with respect to the declared value excess profits tax for the taxable year of the loss or unused credit shall be disregarded in determining the period within which a deficiency attributable to the application to the taxpayer of a carry-back, resulting from such loss or unused credit, may be assessed.

If no excess profits tax return was required to be filed for the taxable year of the net operating loss or unused excess profits credit which resulted in the carry-back, a deficiency in any tax attributable to the application to the taxpayer of such carry-back may be assessed at any time prior to the expiration of the period within which (under the provisions of section 275 or 276 (a) or (b) and sections 508 and 603 respectively making such sections 275 and 276 (a) and (b) applicable to subchapters A and B of chapter 2) a deficiency may be assessed with respect to the same or any other tax imposed by chapter 1 or subchapter A or B of chapter 2 for the taxable year of such loss or unused credit. It will be considered that no excess profits tax return was required to be filed for the taxable year of the loss or unused credit if (1) the taxpayer was exempt from the excess profits tax for such taxable year under the provisions of section 727; (2) the taxpayer, even though subject to the excess profits tax, was not required to file an excess profits tax return for such taxable year under the provisions of section 729; or (3) such taxable year began after December 31, 1945. In such case, a deficiency attributable to the application to the taxpayer of a carry-back thus may be assessed at any time prior to the expiration of whichever of the following three periods, each period being determined under the applicable provisions of sections 275, 276 (a) and (b), 508, and 603, expires the latest:

(i) The period within which a deficiency may be assessed with respect to the tax imposed by chapter 1 for the taxable year of the loss or unused credit which resulted in the carry-back;

(ii) The period within which a deficiency may be assessed with respect to the surtax on personal holding companies, imposed by subchapter A of chapter A of chapter 2, for the taxable year of the loss or unused credit which resulted in the carry-back;

(iii) The period within which a deficiency may be assessed with respect to the declared value excess profits tax, imposed by subchapter B of chapter 2, for the taxable year of the loss or unused credit which resulted in the carry-back.

If a corporation is not a personal holding company as defined in section 501, for the taxable year of the loss or

unused credit which resulted in the carry-back, the period within which a deficiency may be assessed with respect to the surtax on personal holding companies for the taxable year of the loss or unused credit shall be disregarded in determining the period within which a deficiency attributable to the application to the taxpayer of a carry-back, resulting from such loss or unused credit, may be assessed. Similarly, if a corporation is not subject to the declared value excess profits tax for the taxable year of the loss or unused credit which resulted in the carry-back, either because its net income, determined as provided in section 602, for such taxable year is not in excess of 10 percent of its declared value or because such taxable year ended after June 30, 1946, the period within which a deficiency may be assessed with respect to the declared value excess profits tax for the taxable year of the loss or unused credit shall be disregarded in determining the period within which a deficiency attributable to the application to the taxpayer of a carry-back, resulting from such loss or unused credit, may be assessed.

It is immaterial whether an excess profits tax return in fact was filed for the taxable year of the loss or unused credit which resulted in the carry-back, whether the deficiency is attributable to the application to the taxpayer of a net operating loss carry-back or an unused excess profits credit carry-back whether the deficiency is in respect of the excess profits tax or some other tax, or whether the deficiency is in respect of the same tax as that of the carry-back or in respect of some other tax. The determinative factor is whether an excess profits tax return was required to be filed for the taxable year of the loss or unused credit which resulted in the carry-back. It is likewise immaterial whether the tax, in respect of which the deficiency resulting from the application to the taxpayer of the carry-back is to be assessed, is the same kind of tax with respect to which a deficiency might be assessed for the taxable year of the loss or unused credit which resulted in the carry-back. Thus, if a deficiency for the calendar year 1943 with respect to the tax imposed by chapter 1 is attributable to the application to the taxpayer of a net operating loss carry-back from 1945, and if the taxpayer was required to file an excess profits tax return for 1945 and if the periods within which deficiencies with respect to the taxes imposed by chapter 1, subchapter B of chapter 2, and subchapter E of chapter 2 for 1945 expire respectively on March 15, 1949, March 15, 1949, and September 15, 1949, the period within which such deficiency, attributable to the application to the taxpayer of the net operating loss carry-back from 1945, may be assessed with respect to the tax imposed by chapter 1 for 1943 will expire on September 15, 1949.

A deficiency attributable to the application to the taxpayer of a carry-back may result from an adjustment to the net operating loss or the unused excess profits credit, to the resulting carry-back, or to the net operating loss deduction or the

unused excess profits credit adjustment. A deficiency may be attributable to the application to the taxpayer of a carry-back even though the net operating loss or the unused excess profits credit or the resulting carry-back, as claimed by the taxpayer, is identical in amount with the actual loss or unused credit or the resulting carry-back. For example, if in computing the net operating loss deduction the taxpayer fails to make the adjustment required by section 122 (c), the resulting deficiency will be considered to be attributable to the application to the taxpayer of any net operating loss carry-back which entered into the computation of such net operating loss deduction. A deficiency in excess profits tax attributable to the application to the taxpayer of an unused excess profits credit carry-back which itself is produced, or which is increased in amount, by a net operating loss carry-back is to be considered as likewise attributable to the application to the taxpayer of such net operating loss carry-back to the extent that such unused excess profits credit carry-back is so produced or increased; such deficiency may be assessed at any time prior to the expiration of whichever of the following two periods expires later; the period prescribed in section 276 (d) within which a deficiency attributable to the application to the taxpayer of such unused excess profits credit carry-back may be assessed, or the period prescribed in section 276 (d) within which a deficiency attributable to the application to the taxpayer of such net operating loss carry-back may be assessed.

If the period within which a deficiency may be assessed under any other applicable provision of law, both in the case where an excess profits tax return was required to be filed for the taxable year of the loss or unused credit which resulted in the carry-back and in the case where no excess profits tax return was required to be filed for such taxable year, is longer than the period provided in section 276 (d) a deficiency attributable to the application to the taxpayer of such carry-back may be assessed at any time prior to the expiration of such longer period.

PAR. 4. There is inserted immediately preceding § 29.322-1 the following:

SEC. 5. PERIOD OF LIMITATION IN CASE OF CARRY-BACKS. (Tax Adjustment Act of 1945.)

(a) Section 322 (b) (5) of the Internal Revenue Code is amended by striking the words "or of a carry-back" where they appear in subparagraph (B) thereof, and by striking the last sentence and inserting in lieu thereof the following: "If the claim for credit or refund relates to an overpayment on account of the effect that the deductibility of such a debt or loss has on the application to the taxpayer of a carry-back, the period shall be either seven years from the date prescribed by law for filing the return for the year of the net operating loss or the unused excess profits credit which results in such carry-back or the period prescribed in paragraph (6), whichever expires the later. In the case of a claim described in this paragraph, the amount of the credit or refund may exceed the portion of the tax paid within the period prescribed in paragraph (2) or (3) whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph."

(b) Section 322 (b) of the Internal Revenue Code is amended by inserting immediately following paragraph (5) the following new paragraph:

(6) *Special period of limitation with respect to net operating loss carry-backs and unused excess profits credit carry-backs.* If the claim for credit or refund relates to an overpayment attributable to a net operating loss carry-back or to an unused excess profits credit carry-back, in lieu of the three-year period of limitation prescribed in paragraph (1), the period shall be that period which ends with the expiration of the three-year period prescribed in paragraph (1) or the period prescribed in paragraph (3), whichever expires later, within which claim for credit or refund may be filed with respect to the taxable year of the net operating loss or the unused excess profits credit which results in such carry-back. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in paragraph (2) or (3), whichever is applicable, to the extent of the amount of the overpayment attributable to such carry-back.

(c) Section 322 (d) of the Internal Revenue Code is amended by striking the period at the end thereof and inserting in lieu thereof the following: "or, (3), if such portion was not paid within the period described in clause (1), but the notice of deficiency was mailed within the period prescribed in subsection (b) (6) for the filing of a claim for credit or refund of an overpayment attributable to a carry-back, or such a claim was filed, that such portion does not exceed the amount of the overpayment attributable to a carry-back"

(d) Section 322 of the Internal Revenue Code is amended by inserting immediately following subsection (f) the following new subsection:

(g) *Overpayments attributable to net operating loss carry-backs and unused excess profits credit carry-backs.* If the allowance of a credit or refund of an overpayment of tax attributable to a net operating loss carry-back or to an unused excess profits credit carry-back is otherwise prevented by the operation of any law or rule of law other than section 3761, relating to compromises, such credit or refund may be allowed or made, if claim therefor is filed within the period provided in subsection (b) (6). If the allowance of an application, credit or refund of a decrease in tax determined under section 3780 (b) is otherwise prevented by the operation of any law or rule of law other than section 3761, such application, credit or refund may be allowed or made if application for a tentative carry-back adjustment is made within the period provided in section 3780 (a). In the case of any such claim for credit or refund or any such application for a tentative carry-back adjustment, the determination by any court, including The Tax Court of the United States, in any proceeding in which the decision of the court has become final, shall be conclusive except with respect to the net operating loss deduction and the unused excess profits credit adjustment, and the effect of such deduction or adjustment, to the extent that such deduction or adjustment is affected by a carry-back which was not in issue in such proceeding.

(f) *Effective date.* The amendments made by this section shall be applicable with respect to all taxable years beginning after December 31, 1940, except that the amendment made by subsection (d) shall not be applicable to any taxable year with respect to which the taxpayer and the Commissioner have entered into a closing agreement under the provisions of section 3760, prior to the date of enactment of this Act, in any case in which it is expressly provided in such

closing agreement that the tax liability for such taxable year is not to be affected by a net operating loss carry-back or by an unused excess profits credit carry-back.

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1940. (Revenue Act of 1945.)

(e) *Claims for refund based on carry-backs.*—(1) *In general.* The first sentence of section 322 (b) (6) (relating to periods of limitation with respect to claims for refund based on carry-backs) is amended to read as follows: "If the claim for credit or refund relates to an overpayment attributable to a net operating loss carry-back or to an unused excess profits credit carry-back, in lieu of the three-year period of limitation prescribed in paragraph (1), the period shall be that period which ends with the expiration of the fifteenth day of the thirty-ninth month following the end of the taxable year of the net operating loss or the unused excess profits credit which results in such carry-back, or the period prescribed in paragraph (3) in respect of such taxable year, whichever expires later."

(2) *Taxable years to which applicable.* The amendment made by this subsection shall be applicable to claims for credit or refund with respect to taxable years beginning after December 31, 1940.

PAR. 5. Section 29.322-7, as amended by Treasury Decision 5503, approved March 20, 1946, is further amended as follows:

(A) By striking the last sentence of paragraph (a) and inserting in lieu thereof the following sentence: "The provisions of this paragraph are subject to the exceptions provided in paragraphs (b), (c) (d), and (e) of this section and in section 201 of Public Law 291 (79th Congress) approved December 29, 1945, extending to December 31, 1946, the time for filing a claim for credit or refund based upon an overpayment of the tax as a result of the failure to take a war loss deduction in respect of property considered destroyed or seized under section 127 (a) of the Code for a taxable year beginning in 1941 or 1942."

(B) By striking subparagraph (2) of paragraph (c) and inserting in lieu thereof the following:

(2) The effect that the deductibility of a debt or loss described in subparagraph (1) of this paragraph has on the application to the taxpayer of a capital loss carry-over provided in section 117 (e) a net operating loss carry-over provided in section 122 (b) or an unused excess profits credit carry-over provided in section 710 (c) (3)

(C) By striking the second sentence of paragraph (c) which begins with the words "In the case of such a claim" and inserting in lieu thereof the following:

If the claim for credit or refund relates to an overpayment on account of the effect that the deductibility of a debt or loss described in subparagraph (1) of this paragraph has on the application to the taxpayer of a net operating loss carry-back provided in section 122 (b) or an unused excess profits credit carry-back provided in section 710 (c) (3) such period shall be whichever of the following two periods expires later:

(i) Seven years from the date prescribed by law for filing the return (determined without regard to any extension of time for filing such return) for the taxable year of the net operating loss or the unused excess profits credit or

(ii) The period prescribed in paragraph (e) of this section.

In the case of any claim described in this section the amount of the credit or refund may exceed the portion of the tax paid within the period provided in paragraph (a) or (b) of this section, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of items described in this section.

(D) By striking "(i)" and "(ii)" where they appear in the first paragraph of paragraph (c) and inserting in lieu thereof "(A)" and "(B)" respectively.

(E) By striking the second paragraph of paragraph (c) and inserting in lieu thereof the following:

If claim for credit or refund is not filed within the applicable period described in the preceding paragraph, then credit or refund may be allowed or made only if claim therefor is filed, or if such credit or refund is allowed or made, within any period prescribed in paragraph (a) or (b) of this section, whichever is applicable, subject to the provisions of such paragraph (a) or (b) limiting the amount of credit or refund in the case of a claim filed, or, if no claim was filed, in the case of credit or refund allowed or made within such applicable period as prescribed in such paragraph (a) or (b)

(F) By striking subdivision (ii) of paragraph (d) (1) and inserting in lieu thereof the following:

(ii) If such portion of the tax was not paid within the period described in subdivision (i) of this subparagraph, but the notice of deficiency was mailed within seven years from the time prescribed for filing the return (determined without regard to any extension of time for filing such return), or a claim of the type described in paragraph (c) of this section was filed, that such portion of the tax does not exceed the amount of the overpayment attributable to the deductibility of items described in such paragraph (c) or

(iii) If such portion of the tax was not paid within the period described in subdivision (i) of this subparagraph, but the notice of deficiency was mailed within the period prescribed in paragraph (e) of this section for the filing of a claim for credit or refund of an overpayment attributable to a net operating loss carry-back or an unused excess profits credit carry-back, or such a claim was filed, that such portion of the tax does not exceed the amount of the overpayment attributable to the carry-back.

The amount of the overpayment attributable to the deductibility of items described in paragraph (c) of this section or to a carry-back shall be determined under the provisions of paragraphs (c) and (e), respectively, of this section. For the limitation on the allowance of interest for any portion of an overpayment described in subdivision

(ii) or (iii) of this subparagraph, see section 3771 (d) or (e) whichever is applicable.

(G) By adding at the end thereof the following new paragraph.

(e) *Overpayment on account of net operating loss carry-backs and unused excess profits credit carry-backs*—(1) *Special period of limitation.* If the claim for credit or refund relates to an overpayment attributable to a net operating loss carry-back, provided in section 122 (b) or to an unused excess profits credit carry-back, provided in section 710 (c) (3) then in lieu of the three-year period from the date the return was filed in which the claim may be filed or credit or refund allowed or made, as prescribed in paragraph (a) of this section, the period shall be whichever of the following two periods expires later:

(i) The period which ends with the expiration of the 15th day of the 39th month following the end of the taxable year of the net operating loss or the unused excess profits credit which resulted in the carry-back; or

(ii) The period which ends with the expiration of the period prescribed in paragraph (b) of this section within which a claim for credit or refund may be filed with respect to the taxable year of the net operating loss or the unused excess profits credit which resulted in the carry-back.

In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period prescribed in paragraph (a) or (b) of this section, whichever is applicable, to the extent of the amount of the overpayment attributable to the carry-back. Such a credit or refund cannot exceed the sum of the following:

(a) The portion, if any, of the tax paid within the period provided in paragraph (a) or (b) of this section, whichever is applicable, and

(b) The amount of the overpayment attributable to the carry-back.

The portion of an overpayment attributable to a carry-back shall be determined by treating the net operating loss reduction and the unused excess profits credit adjustment, to the extent that they are increased by the net operating loss carry-back or the unused excess profits credit carry-back, as the first adjustments to be made in computing such overpayment.

If claim for credit or refund is not filed, and if credit or refund is not allowed or made, within the period described in the preceding paragraph, then credit or refund may be allowed or made only if claim therefor is filed, or if such credit or refund is allowed or made, within any period prescribed in paragraph (a) or (b) of this section, whichever is applicable, subject to the provisions of such paragraph (a) or (b), limiting the amount of credit or refund in the case of a claim filed, or if no claim was filed, in the case of credit or refund allowed or made within such applicable period.

In the case of an overpayment of excess profits tax attributable to an unused excess profits credit carry-back which itself is produced, or is increased in amount, by a net operating loss carry-

back, such overpayment is to be considered as attributable to the net operating loss carry-back to the extent that there would have been no overpayment of excess profits tax if there had been no net operating loss carry-back. Claim for credit or refund of that portion of the overpayment of excess profits tax which is thus attributable to the net operating loss carry-back may be filed, or credit or refund allowed or made, at any time prior to the expiration of the period within which claim for credit or refund of an overpayment attributable to the net operating loss carry-back may be filed or such credit or refund allowed or made if no claim is filed.

For the limitation on the allowance of interest for an overpayment where credit or refund is subject to the provisions of section 322 (b) (6) see section 3771 (e)

(2) *Barred overpayments.* If the allowance of a credit or refund of an overpayment of tax attributable to a net operating loss carry-back or to an unused excess profits credit carry-back is otherwise prevented by the operation of any law or rule of law (other than section 3761, relating to compromises) such credit or refund may be allowed or made under the provisions of section 322 (g) if a claim therefor is filed within the period provided in section 322 (b) (6) and § 29.322-7 (e) (1) for filing a claim for credit or refund of an overpayment attributable to a carry-back. Similarly, if the allowance of an application, credit or refund of a decrease in tax determined under section 3780 (b) is otherwise prevented by the operation of any law or rule of law (other than section 3761) such application, credit or refund may be allowed or made if an application for a tentative carry-back adjustment is filed within the period provided in section 3780 (a). Thus, for example, even though the tax liability for a given taxable year has previously been litigated before The Tax Court of the United States, credit or refund of an overpayment may be allowed or made, despite the provisions of section 322 (c), if claim for such credit or refund is filed within the period provided in section 322 (b) (6) and § 29.322-7 (e) (1). In the case of a claim for credit or refund of an overpayment attributable to a carry-back, or in the case of an application for a tentative carry-back adjustment, the determination of any court, including The Tax Court of the United States, in any proceeding in which the decision of the court has become final, shall be conclusive except with respect to the net operating loss deduction and the unused excess profits credit adjustment, and the effect of such deduction or adjustment, to the extent that such deduction or adjustment is affected by a carry-back which was not in issue in such proceeding. The provisions of section 322 (g), however, are not to apply to any taxable year with respect to which the Commissioner and the taxpayer have entered into a closing agreement under section 3760 prior to July 31, 1945, the date of enactment of the Tax Adjustment Act of 1945, in which it is expressly provided that the tax liability for such taxable year is not to be affected by a net operat-

ing loss carry-back or by an unused excess profits credit carry-back.

The provisions of section 322 (g) may be illustrated by the following example:

Example. Corporation A, which keeps its books and makes its tax returns on the calendar year basis, filed its income and excess profits tax returns for 1944 on March 15, 1945. The corporation claimed \$100,000 as a deduction for depreciation on such returns. The Commissioner asserted that only \$60,000 was properly allowable as a deduction for depreciation, and he further asserted that the corporation had realized certain long-term capital gains in 1944 which it improperly failed to include in its gross income. These issues were litigated before The Tax Court of the United States which sustained the Commissioner's determinations with respect to both the deduction for depreciation and the capital gains. Pursuant to the decision of The Tax Court, which became final on December 15, 1946, deficiency judgments were entered for the Commissioner with respect to both the income tax and the excess profits tax of the corporation for the year 1944. In computing the deficiency in excess profits tax, proper adjustment was made by The Tax Court for an unused excess profits credit carry-back from the year 1945 to 1944. The corporation did not appeal The Tax Court's decision. In a decision which became final on May 1, 1947, the Supreme Court decided that gains of the type held taxable as long-term capital gains by The Tax Court in the above proceeding are not subject to tax. The corporation sustained net operating losses in both 1946 and 1947 and had an unused excess profits credit for 1946. The net operating loss sustained by the corporation in 1947, when carried back to 1945, increased the unused excess profits credit for 1945. If proper claims for credit or refund are filed within the period provided in section 322 (b) (6) and § 29.322-7 (e) (1), the corporation may be allowed credit or refund of such portions of the overpayments of its income tax, its excess profits tax, and any other tax affected, for 1944 as are attributable to the net operating loss carry-back or unused excess profits credit carry-backs which result from the above losses and unused credits. In computing such overpayments, no adjustment is to be made with respect to the gains held taxable as long-term capital gains by The Tax Court or with respect to any other item, except the net operating loss deduction and the unused excess profits credit adjustment, which entered into the determination of the corporation's income tax and excess profits tax for 1944. The net operating loss deduction and excess profits credit adjustment, however, may be adjusted to the extent that they are affected by a carry-back which was not in issue in the above proceeding before The Tax Court. Likewise, adjustments may be made to reflect the effect of such net operating loss deduction and unused excess profits credit adjustment on any other items which enter into the determination of the tax liability. Thus, for example, any deduction limited by net income or adjusted gross income, such as the deduction for charitable contributions, is to be recomputed on the basis of the net income or adjusted gross income as affected by the carry-back. The portion of the overpayment attributable to the net operating loss carry-back or the unused excess profits credit carry-back is to be determined by treating the net operating loss deduction and the unused excess profits credit adjustment, to the extent that they are increased by a net operating loss carry-back or an unused excess profits credit carry-back, as the first adjustments to be made in computing such overpayment.

PAR. 6. The amendments to Regulations 111 (covering taxable years begin-

ning after December 31, 1941) made by paragraphs 1 through 5 of this Treasury decision are hereby made applicable to taxable years beginning after December 31, 1940 and prior to January 1, 1942 (such years being covered by Regulations 103 (26 CFR, Part 19))

(Section 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62) sections 5 and 6 (a) of the Tax Adjustment Act of 1945 (Public Law 172, 79th Congress), and section 122 (e) and (f) of the Revenue Act of 1945 (Public Law 214, 79th Congress))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: May 27, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-8084; Filed, May 29, 1946;
11:50 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL BITUMINOUS COAL PRODUCERS IN DISTRICTS 1-4, 6-11 AND 13, CONCERNING DISPOSITION OF COAL

In order to provide for the supply of bituminous coal for those uses most essential to the health of the Nation, and to avoid hardships and distress, in as far as possible, the following direction is issued pursuant to SFAW Regulation No. 1, as amended:

1. Pending further instructions from SFAW each producer of bituminous coal at each mine operated by him in Districts Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13 shall:

(a) Hold unbilled on mine tracks all coal thereon.

(b) Hold unbilled on all assigned tracks all coal thereon.

(c) Hold unbilled at scales all coal thereat.

(d) Hold unbilled at any other facilities all coal thereat.

Provided, however That if there is no cessation of mining at any such mine, or if mining is resumed and is continuing at any such mine, cars shall be held only insofar as practicable and consistent with continued full operation, but in no event shall any coal be moved from the mine tracks, or from assigned tracks, or shipped from scales or other facilities after cessation of mining without permission from SFAW

2. Each producer referred to in the preceding paragraph shall report forthwith to the Area Distribution Manager for his Area the number of cars, by sizes of coal, held pursuant to this direction (1) on mine and assigned tracks, and (2) at scales and other facilities provided by the railroad.

3. This direction shall take effect immediately and remain in force until further notice.

4. No person shall be held liable for damages or penalties under any contract

for any default which shall result directly or indirectly from compliance with the provisions of this direction.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658)

Issued this 28th day of May 1946.

J. A. KRUG,
Solid Fuels Administrator for War.

[F. R. Doc. 46-8026; Filed, May 23, 1946;
10:22 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERALLY LICENSING MEMBERS OF, AND PERSONS IN, GENERALLY LICENSED TRADE AREA

MAY 30, 1946.

General license No. 53A under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 131.53a *Generally licensing members of, and persons in, generally licensed trade area*—(a) *Members of generally licensed trade area licensed.* Notwithstanding the proviso of § 131.94 (a) (General License No. 94) members of the generally licensed trade area are hereby licensed to be regarded for all purposes as not blocked.

(b) *Persons licensed.* This section also licenses as a generally licensed national:

(1) Any individual in the generally licensed trade area, except an individual who on October 5, 1945 was in a blocked country other than a member of the generally licensed trade area, and

(2) Any partnership, association, corporation, or other organization which is a national of a blocked country solely by reason of the interest of persons licensed hereby,

Provided, That this license shall not apply with respect to any person whose name appears on the Proclaimed List of Certain Blocked Nationals.

(c) *Definitions.* As used in this section.

(1) The terms "member" and "generally licensed trade area" shall have the meaning prescribed in § 131.53 (General License No. 53), and

(2) The term "blocked country" shall be deemed to include countries licensed by § 131.94 (General License No. 94) except a country licensed by § 131.96 (General License No. 96)

(Sec. 5 (b) 40 Stat. 415 and 966; sec. 2, 48 Stat. 1, 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941, E.O. 9193, July 6,

1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, July 26, 1941, and February 19, 1946)

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

[F. R. Doc. 46-5632; Filed, May 23, 1946;
11:00 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

TRANSACTIONS INVOLVING PROPERTY IN WHICH CHINA, JAPAN, THAILAND AND HONG KONG HAVE INTEREST

MAY 30, 1946.

Revocation of General Licenses Nos. 54, 76 and 78 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Section 131.54 (General License No. 54) issued July 26, 1941, § 131.76 (General License No. 76), issued December 9, 1941, and § 131.78 (General License No. 78) issued December 26, 1941, are hereby revoked, in view of paragraph (3) of Public Circular No. 10, as amended on the date hereof.

(Sec. 5 (b) 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 4, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations April 10, 1940, as amended June 14, 1941, July 26, 1941, and Feb. 19, 1946)

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

[F. R. Doc. 46-8033; Filed, May 23, 1946;
11:00 a. m.]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

EXTENSION OF LICENSES TO HONG KONG

MAY 30, 1946.

Amendment to Public Circular No. 10 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Public Circular No. 10 is hereby amended to read as follows:

(1) The privileges of all general licenses are hereby extended to Hong Kong to the same extent as though Hong Kong were a part of China.

(2) The offices within Hong Kong of banks named in Schedule A of § 131.53 (General License No. 53) are hereby reinstated as appointed banks for the purposes of such license and as generally licensed nationals within the meaning of

§§ 131.59, 131.60 and 131.61 (General Licenses Nos. 59, 60 and 61)

(3) No transaction shall be deemed to require a license solely because it involves property in which a blocked country or national thereof had an interest which was extinguished prior to the date of the extension of the order to such country. In view of the provisions of this paragraph §§ 131.54, 131.76 and 131.78 (General Licenses Nos. 54, 76 and 78) have been revoked.

(Sec. 3 (a) 40 Stat. 412; sec. 5 (b) 40 Stat. 415 and 966; sec. 2, 48 Stat. 1, 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941, E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, July 26, 1941, and Feb. 19, 1946)

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

[F. R. Doc. 46-9030; Filed, May 29, 1946;
11:00 a. m.]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

APPLICATION OF LICENSES TO BRITISH MALAYA

MAY 30, 1946.

Revocation of Public Circular No. 16 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Public Circular No. 16, issued February 18, 1942, is hereby revoked.

(Sec. 3 (a) 40 Stat. 412; sec. 5 (b) 40 Stat. 415 and 966; sec. 2, 48 Stat. 1, 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941, E.O. 9193, July 6, 1942, as amended by E.O. 9567, June 8, 1945; Regulations, April 10, 1940, as amended June 14, 1941, July 26, 1941, and Feb. 19, 1946)

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

[F. R. Doc. 46-9031; Filed, May 29, 1946;
11:00 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 191]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; NYLON HOSIERY

Section 801.2 *Prohibited exportations* is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits, country group	
			K	E
385900	Nylon hosiery, unfinished, women's and children's (include blanks, or shapes, full-fashioned and circular knit)		10	10

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671, 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861, Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081, E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: May 24, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-9018; Filed, May 28, 1946;
4:40 p. m.]

[Amdt. 192]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Section 801.16 *Refunds of subsidy payments* is hereby amended in the following particulars:

Paragraph (a) is amended to read as follows:

(a) No person shall export any of the types or varieties of food commodities set forth in paragraph (c) of this section of a value in excess of \$10 for processed prunes and raisins or in excess of \$1 for dry edible beans to any destination other than Hawaii, Alaska, the Virgin Islands (U. S.) or Puerto Rico; or any of the types or varieties of food commodities set forth in paragraph (d) of this section of a value in excess of \$15 to any destination other than Hawaii, Alaska, the Virgin Islands (U. S.) or Puerto Rico; or any of the types or varieties of food commodities set forth in paragraph (e) of this section of a value in excess of \$10 to any destination other than Hawaii, Alaska, the Philippine Islands, the Virgin Islands (U. S.) or Puerto Rico, unless:

(1) Any subsidy payments made by the Department of Agriculture or other appropriate agency have been refunded in the amount, with respect to variety, grade and size, specified in paragraphs (c) (d) and (e) of this section, and

(2) There is presented to the Collector of Customs at the port of exit a Certificate of Subsidy Clearance issued by the Department of Agriculture or other appropriate agency which shall indicate the fact that the exporter has met the requirement specified in subdivision (1) of this paragraph (a) in regard to refunds of subsidy payments with respect to the commodities authorized for export, or that such refund is not required for the particular shipment.

This amendment shall become effective on June 11, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671, 59 Stat. 270; E.O. 8900,

6 F.R. 4795; E.O. 9361, 8 F.R. 9861, Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081, E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: May 24, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.
[F. R. Doc. 46-9019; Filed, May 28, 1946;
4:40 p. m.]

[Amdt. 193]

PART 802—GENERAL LICENSES

PERSONAL BAGGAGE AND PERSONAL EFFECTS

Section 802.11 *Personal baggage and personal effects* is hereby amended in the following respects:

Subparagraph (1) of paragraph (b) is hereby amended to read as follows:

(b) (1) *Foods, soaps and cotton fabrics.* The total domestic value of all cotton fabrics in the piece shall not exceed \$25.00. The total domestic value of all soap, butter and other edible fats and oils shall not exceed \$5.00. The total domestic value of all foods, including the \$5.00 allowance for soap, butter and other edible fats and oils, shall not exceed \$50.00.

The certification set forth in paragraph (c) is amended to read as follows:

I hereby certify that the commodities about to be exported under the general license for personal baggage and effects are (1) for my personal use or for use by my immediate family; (2) that they are not for resale; (3) that the total domestic value of all cotton fabrics in the piece does not exceed \$25.00; of all soap, butter and other edible fats and oils does not exceed \$5.00; and of all food, including butter and other edible fats and oils and soap does not exceed \$50.00.

This certification applies to the contents of the following baggage:

----- Handbags, suitcases.
----- Trunks.
----- Other.

----- (Exporting Carrier) ----- (Signature)

This amendment shall become effective on June 3, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671, 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861, Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081, E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: May 28, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.
[F. R. Doc. 46-9020; Filed, May 28, 1946;
4:40 p. m.]

[Amdt. 194]

PART 816—LIMITED DISTRIBUTION LICENSE FOR WOMEN'S AND CHILDREN'S FINISHED AND UNFINISHED NYLON HOSIERY

Part 816 is hereby amended to read as follows:

Sec.
816.1 General provisions.
816.2 Clearance for export.
816.3 Period of validity.

AUTHORITY: §§ 816.1 to 816.3 inclusive, issued under sec. 6, 54 Stat. 714; 55 Stat. 203; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9360, 8 F.R. 13031; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130.

§ 816.1 *General provisions.* (a) There is hereby established a limited distribution license designated "LDL" authorizing, subject to the other provisions of this part and subject to the conditions contained in the license issued by the Department of Commerce, the exportation of women's and children's finished and unfinished nylon hosiery, Department of Commerce, Schedule B Nos. 385410 and 385900.

(b) Applications for limited distribution licenses to export women's and children's finished and unfinished nylon hosiery must be filed with the Requirements and Supply Branch, Office of International Trade, Department of Commerce, Washington 25, D. C. on Forms FEA 48 (Application for Limited Production License) and IT 41 (Limited Distribution Schedule) All of the terms, conditions, provisions and instructions contained in such forms are hereby incorporated in and made a part of the regulations in this subchapter.

(c) Any person to whom a limited distribution license to export women's and children's finished and unfinished nylon hosiery has been issued by the Department of Commerce, may, during the period of the validity of the license, export under such license to each country or group of countries listed in the Distribution Schedule attached to his application not more than the quantity of finished or unfinished nylon hosiery approved by the Department of Commerce for export to such country or group of countries in said distribution schedule.

(d) Limited distribution licenses for women's and children's finished and unfinished nylon hosiery may be amended by the Department of Commerce upon application of the holder of such license in a letter addressed to the Requirements and Supply Branch, Office of International Trade, Department of Commerce, Washington 25, D. C. Amendments will be issued in a letter which shall be considered a part of the license to which the amendment is applicable.

§ 816.2 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited distribution license for women's and children's finished and unfinished nylon hosiery. In lieu of the presentation of the export license an exporter making an exportation of finished or unfinished nylon hosiery under the Limited Distribution License shall present to the United States Collector of Customs at the port of exit a Shipper's Export Declaration bearing the symbol "LDL," and the number of the limited distribution license pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LDL" on a Shipper's Export Declaration

for the purpose of clearing an exportation of finished or unfinished nylon hosiery constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited distribution license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule relating to such license; (3) that the women's and children's finished or unfinished nylon hosiery is being sold in accordance with the provisions of the Second Revised Maximum Export Price Regulation of the Office of Price Administration; and (4) that all of the other provisions and conditions of the license have been met.

§ 816.3 *Period of validity.* Limited distribution licenses for women's and children's finished and unfinished nylon hosiery shall be valid during the calendar quarter in which the license is issued plus the first 60 days of the succeeding calendar quarter unless the period of validity is reduced or extended by the Department of Commerce, or is otherwise indicated on the license. All limited distribution licenses for women's and children's finished and unfinished nylon hosiery are subject to revocation or revision at any time by the Department of Commerce.

Dated: May 24, 1946.

JOHN C. BORTON,
Director
Requirements and Supply Branch.

[F. R. Doc. 46-8021; Filed, May 23, 1946; 4:40 p. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 238, 56 Stat. 177, 58 Stat. 827 and Pub. Law 370, 75th Cong.; E.O. 9024, 7 F.R. 329; E.O. 8040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 8539, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 1010—SUSPENSION ORDERS [Suspension Order S-339]

THEODORE G. MEYER

Theodore G. Meyer is a general contractor located at 200 Quint Street, San Francisco, and is engaged in the building of small family dwellings. On January 28, 1946, Theodore G. Meyer was authorized on Form CPA-4386, Serial No. 66-121-00098, to carry on the construction of 38 housing units located in Miraloma Park Subdivision, San Francisco, California pursuant to Veterans' Housing Program under PR-33 and assigned an HH rating to procure certain construction materials. In February of 1946, Theodore G. Meyer applied HH ratings granted pursuant to the above authorization to obtain 760,000 board feet of lumber although only 565,000 board feet of lumber were required to complete the

38 houses. The application of these HH ratings to get 194,392 board feet of lumber in excess of the amount required to meet his construction schedule constituted a grossly negligent violation of Direction 1 to Priorities Regulation No. 33 and Priorities Regulation No. 3. On February 1, 1946, Theodore G. Meyer, placed an order bearing HH ratings assigned pursuant to the foregoing authorization for the purchase of 1,200 doors, although only 600 doors were required to complete the above project. The placing of these rated orders for 600 doors in excess of the amount required to complete the project constituted a willful violation of Priorities Regulations Nos. 1 and 33. These violations have diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.939 *Suspension Order No. S-939.* (a) For a period of four months from the effective date of this order, no authorization shall be granted to Theodore G. Meyer to do construction or use preference ratings nor shall he apply or extend any preference ratings during such period. Provided that the provisions of this order shall not apply to the completion of the 38 houses located in Miraloma Park Subdivision, San Francisco, California, and authorized on Form CPA-4386, project Serial No. 66-121-00098.

(b) Theodore G. Meyer shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the FHA for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Theodore G. Meyer from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Theodore G. Meyer, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on the 30th day of May 1946.

Issued this 20th day of May 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-8391; Filed, May 23, 1946; 11:46 a. m.]

Chapter XI—Office of Price Administration

PART 1493—COMMODITIES AND SERVICES [MFR 183, Corr. to Amdt. 77]

MANUFACTURERS' MAXIMUM PRICES FOR CONSUMERS GOODS OTHER THAN APPAREL

The example in § 1493.157 (a) (4) (ii) is corrected to read as follows:

(Example of the above computation)

Unit direct cost of the article being priced, \$9.00

Unit direct costs of comparable articles selected according to (2)	Maximum selling price for each such article	Dollar mark-up for each such article	Average dollar mark-up for such articles	Average percentage mark-up for such articles
\$10 7	\$14 0	\$4 2	\$23 1-17	\$23 1-17
-----	-----	-----	\$6	46

¹ Sum of maximum prices.² Sum of unit direct costs.³ Divided by \$2 equals \$3.⁴ Divided by \$17 equals 35.3%.

Unit direct cost plus average percentage mark-up equal \$9 plus \$3.18 equals \$12.18.

Unit direct cost plus average dollar mark-up equals \$9 plus \$3 equals \$12.

Maximum selling price of article being priced (the lower of above two sums) \$12.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator[F. R. Doc. 46-8999; Filed, May 28, 1946;
4:03 p. m.]

PART 1305—ADMINISTRATION

[SO 126,¹ Amdt. 35]

BIAS TAPE OR BINDING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended in the following respects:

1. Section 10(h) is added to read as follows:

(h) Bias tape or binding 2 inches or less in width; narrow fabrics, other than woven or braided, made by fastening parallel cotton yarn warps together with adhesives; and web felts, web slings, web straps and animal halters made of non-elastic webbing woven or braided 12 inches or less in width. However, every manufacturer of any group of commodities listed in column A who in any calendar month beginning with May 1946, produces a quantity in that group equal to or exceeding that in column B shall report on or before the 15th day of the following month to the Office of Price Administration, Cotton Section, Textile Price Branch, Washington 25, D. C., his name and address and the specific group which he manufactures. The report shall also contain the following information for each item listed in column C produced by him during the month covered by the report: (1) the put-up; (2) the yardage per unit of put-up; (3) the put-up and yardage per unit of put-up prior to May 1, 1946 (unless previously reported pursuant to this section) (4) the ceiling price under the General Maximum Price Regulation (unless previously reported pursuant to this section) and (5) the highest price charged by him for the item during the preceding month. The maximum prices for any manufac-

turer who is required to report pursuant to this section shall be automatically reinstated for all sales and deliveries during any period of time in which a report is overdue.

Column A Group	Column B Quantity of group	Column C Item in group
1. Size 5 bias tape or binding 2" or less in width, single or double fold, put up on cards in boxes (dozen cards to a box).	6,000 boxes.	a. The two items having largest production.
2. Size 5 bias tape or binding 2" or less in width, whether flat or folded, put up in spools or coils.	6,000,000 yards.	a. The two items having largest production.

This amendment shall become effective May 29, 1946.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator[F. R. Doc. 46-9053; Filed, May 29, 1946;
11:30 a. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 36]

FUR SKINS, GARMENTS AND TRIMMINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 126 is amended in the following respects:

1. Section 8 (b) is amended by deleting the following items:

Fox, Gray
Opossum, North American
Raccoon
Skunk
Wolf

2. Section 9 (a) is amended by deleting the following items:

Fox, Gray
Opossum, North American
Raccoon
Skunk
Wolf

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator[F. R. Doc. 46-9054; Filed, May 29, 1946;
11:30 a. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 37]

MISCELLANEOUS ARTICLES EXEMPTED FROM PRICE CONTROL

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith,

has been filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended in the following respects:

1. Section 2 (a) is amended by adding the following to the list of articles contained therein:

Electric curling irons
Hair straightening combs

2. Section 2 (b) is amended by adding the following to the list of articles contained therein:

Perfume atomizers
Cocktail mixers

3. Section 2 (b) is amended by changing the listing "articles of glassware, china or pottery for decorative household use" to read as follows:

Articles of glassware, china, pottery, or metal for decorative household use (except lamp bases and articles for the preparation, storage, and service of food and beverages).

4. Section 2 (c) is amended by adding the following to the list of articles contained therein:

Ironing board pads and covers

5. Section 2 (j) is amended by adding the following to the list of articles contained therein:

Pliers specially designed for optical use.

6. Section 2 (k) is amended by adding the following to the list of articles contained therein:

Advertising signs which contain clocks.

7. Section 2 (l) is amended by changing the listing "coir yarn mats" to read "coir yarn mats, matting and rugs."

8. Section 2 (1) is amended by adding the following to the list of articles contained therein:

Door mats
Rubber, composition, and fabric stair treads
Hand looms
Baby swings
Baby seats and beds designed for use in automobiles
Sun dials
Absorbent cases designed for holding and protecting fragile liquid containers during transportation
Ollas and bases for ollas
Laundry and dry cleaning identification tags

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator[F. R. Doc. 46-9055; Filed, May 29, 1946;
11:31 a. m.]

PART 1305—ADMINISTRATION

[SO 126,¹ Amdt. 38]

LEATHER AND LEATHER ARTICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

¹ 10 F.R. 10200, 11348, 11512, 12919, 13110, 13071, 13776, 14396, 14634, 14735, 14899, 15346; 11 F.R. 881, 712, 1774, 2375, 2375, 2989, 3541, 3596, 3793, 4583, 4861, 4861.

¹ 10 F.R. 10200, 11348, 11512, 12919, 13110, 13071, 13776, 14396, 14634, 14735, 14899, 15346; 11 F.R. 881, 712, 1774, 2375, 2375, 2989, 3541, 3596, 3793, 4583.

Supplementary Order 126 is amended in the following respect;

Section 8 is amended by adding a new paragraph (d) to read as follows:

(d) *Leather and leather articles of the following kinds.* Alligator, crocodile and ostrich rawskins or pieces thereof and leather tanned from such rawskins or pieces, domestic or imported, and all articles manufactured of such leather in which at least 90% of the area of the external surface (in shoes, this means 90% of the external surface of the upper of each shoe) consists of genuine alligator, crocodile or ostrich leather. This does not include any article in which the outer covering is constructed, in whole or part, by sewing together with a zigzag or other stitch pieces cut from alligator, crocodile or ostrich leather scrap if the average size of the pieces of such leather in the finished articles is less than four square inches.

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-2056; Filed, May 29, 1946;
11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Amdt. 85]

DRESSING, DYING AND PROCESSING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (f) (5) of § 1499.46 is amended to read as follows:

(5) Dressing, dying, and processing (such as blending, tipping, shearing, etc.) of such fur skins and peltries as are

suspended from price control under Article II, section 8 of SO 126.

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-2050; Filed, May 29, 1946;
11:23 a. m.]

PART 1430—UNPROCESSED AGRICULTURAL COMMODITIES

[LIFE 426; Amdt. 163]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H of section 15, tables 10, 10 (a) 11, and 12 are amended to read respectively as follows:

TABLE 10—MAXIMUM PRICES FOR CANTALOUPE AND HONEYBALL MELONS

Column 1 Item No.	Column 2 Type, variety, style of pack, etc.	Column 3 Unit	Column 4 Season	Column 5 Maximum prices f.o.b. shipping points in California and Arizona ¹	Column 6 Maximum prices for sales delivered to any wholesale receiving point in any quantity ²	Column 7 Maximum prices for sales in lots less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency, or institutional buyer ³
1 2 3	Cantaloup or honeyball melons in jumbo crates with a net weight of 77 pounds or more.	Jumbo crate.....	January 1-July 5..... July 6-July 25..... July 26-December 31..	\$4.25 3.25 3.25	Col. 5 price plus freight from El Centro, California, plus protective services stated in Table A below. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below.	Col. 6 price plus 5%.
4 5 6	Cantaloup or honeyball melons in standard crates with a net weight of 65 pounds or more.	Standard crate..	January 1-July 5..... July 6-July 25..... July 26-December 31..	3.70 3.15 2.70	Col. 5 price plus freight from El Centro, California, plus protective services stated in Table A below. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below.	Col. 6 price plus 5%.
7 8 9a	Cantaloup or honeyball melons in pony crates with a net weight of 55 pounds or more.	Pony crate.....	January 1-July 5..... July 6-July 25..... July 26-December 31..	3.10 2.65 2.50	Col. 5 price plus freight from El Centro, California, plus protective services stated in Table A below. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below.	Col. 6 price plus 5%.
9 10 11	Cantaloup or honeyball melons in jumbo crates with a net weight of less than 77 pounds, in standard crates with a net weight of less than 65 pounds, in pony crates with a net weight of less than 55 pounds, and in all other containers.	Pound.....	January 1-July 5..... July 6-July 25..... July 26-December 31..	.0493 .0492 .0418	Maximum price for item 1 above divided by 60. Maximum price for item 2 above divided by 60. Maximum price for item 3 above divided by 60.	Col. 6 price plus 1 1/2%.
12 13 14	Cantaloup or honeyball melons in bulk (no container).	Pound.....	January 1-July 5..... July 6-July 25..... July 26-December 31..	.0499 .0314 .0229	Col. 5 price plus freight from El Centro, California. Col. 5 price plus freight from Mendota, California.	Col. 6 price plus 3 1/2%.

¹ For f. o. b. shipping point prices in certain other States, see Table 10 (a) below.

² In figuring a price under this column, the Column 5 price to be used is the price in effect at the time of sale at the wholesale receiving point.

³ For the sellers covered by Column 7 see general provisions of this appendix.

TABLE 10 (A)—MAXIMUM PRICES F. O. B. SHIPPING POINTS IN STATES OTHER THAN CALIFORNIA AND ARIZONA, FOR CANTALOUPE AND HONEYBALL MELONS—JULY 25—END OF SEASON

States	Container	Minimum net weight (pounds)	F. o. b. shipping point price		States	Container	Minimum net weight (pounds)	F. o. b. shipping point price	
			Per container	Per pound				Per container	Per pound
Colorado, New Mexico, Texas and Utah.	Jumbo.....	77	\$3.25	-----	Georgia, North Carolina, South Carolina and Ohio.	Jumbo.....	77	\$4.25	-----
	Standard.....	65	3.09	-----		Standard.....	65	3.69	-----
	Any other container.....	-----	-----	\$2.0462		Any other container.....	-----	-----	\$2.0462
	Bulk—no container.....	-----	-----	0.6224		Bulk—no container.....	-----	-----	0.6224
Oregon and Washington.....	Jumbo.....	77	3.70	-----	Delaware, Maryland, New Jersey, and New York.	Jumbo.....	77	4.25	-----
	Standard.....	65	3.15	-----		Standard.....	65	3.70	-----
	Any other container.....	-----	-----	0.0455		Any other container.....	-----	-----	0.0455
	Bulk—no container.....	-----	-----	0.6317		Bulk—no container.....	-----	-----	0.6317
Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, and Oklahoma.	Jumbo.....	77	4.05	-----	-----	-----	-----	-----	-----
	Standard.....	65	3.45	-----					
	Any other container.....	-----	-----	0.6331					
	Bulk—no container.....	-----	-----	0.6333					

¹ 10 F.R. 8021, 7500, 7539, 7578, 7668, 7683, 7789, 8069, 8239, 8238, 8612, 8467, 8611, 8637, 8905, 8330, 8023, 9118, 9119, 9277, 9447, 9628, 9323, 10037, 10025, 10229, 10311, 10303, 11072, 12213, 12084, 12408, 12447, 12532, 12637, 12762, 12745, 12900, 13123, 13271, 13313, 13363, 13595, 13776, 14927, 15935, 15174; 11 F.R. 557, 608, 1102, 1356, 1213, 1526, 1819, 1819, 2931, 2771, 2622, 3109, 8069, 3309, 3690, 3783, 4292, 4295, 4300.

TABLE 11—MAXIMUM PRICES FOR HONEYDEW MELONS

Column 1 Item No.	Column 2 Type, variety, style of pack, etc.	Column 3 Unit	Column 4 Season	Column 5 Maximum prices f. o. b. shipping points in Arizona and California	Column 6 Maximum prices for sales delivered to any wholesale receiving point in any quantity ¹	Column 7 Maximum prices for sales by certain persons in less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer. ²
1 2 3 4 5 6 7 8 9 10 11 12	Honeydew melons in jumbo or standard honeydew crates with a net weight of 39 pounds or more. Honeydew melons in jumbo cantaloup crates with a net weight of 58 pounds or more. Honeydew melons in jumbo or standard crates with a net weight of less than 39 pounds, in jumbo cantaloup crates with a net weight of less than 58 pounds, and in all other containers. Honeydew melons in bulk (no containers).	Honeydew crate..... Jumbo crate..... Pound..... Pound.....	January 1-July 5..... July 6-July 25..... July 26-December 31..... January 1-July 5..... July 6-July 25..... July 26-December 31..... January 1-July 5..... July 6-July 25..... July 26-December 31.....	\$2.60 2.30 2.10 3.80 3.40 3.15 .0666 .0585 .0541 .0493 .0417 .0373	Col. 5 price plus freight from El Centro, California, plus protective services stated in Table A below. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below. Col. 5 price plus freight from El Centro, California, plus protective services stated in Table A below. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below. Maximum price for item 1 above divided by 39... Maximum price for item 2 above divided by 39... Maximum price for item 3 above divided by 39... Col. 5 price plus freight from El Centro, Calif... Col. 5 price plus freight from Mendota, Calif....	Col. 6 price plus 60¢. Col. 6 price plus 1¼¢. Col. 6 price plus 1¼¢.

¹ In figuring a price under this column, the Column 5 price to be used is the price in effect at the time of sale at the wholesale receiving point.

² For the sellers covered by Column 7 see general provisions of this appendix.

TABLE 12—MAXIMUM PRICES FOR PERSIAN MELONS, CASABA MELONS, CRANSHAW MELONS, AND ALL OTHER MELONS (EXCEPT WATERMELONS) NOT MENTIONED IN APPENDIX H

Column 1 Item No.	Column 2 Type, variety, style of pack, etc.	Column 3 Unit	Column 4 Season	Column 5 Maximum prices f. o. b. shipping points in Arizona and California	Column 6 Maximum prices for sales delivered to any wholesale receiving point in any quantity ¹	Column 7 Maximum prices for sales by certain persons in less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer. ²
1 2 3 4 5 6 7 8 9 10 11 12 13	Persian melons in jumbo Persian crates with a net weight of 43 pounds or more. Persian melons in standard Persian crates with a net weight of 37 pounds or more. Persian melons in pony Persian crates with a net weight of 35 pounds or more. Persian melons in jumbo Persian crates with a net weight of less than 43 pounds, in standard Persian crates with a net weight of less than 37 pounds, in Persian pony crates with a net weight of less than 35 pounds and in all other containers. Persian melons in bulk (no container)..... Casaba melons in jumbo or standard crates with a net weight of 42 pounds or more. Casaba melons in jumbo or standard crates with a weight of less than 42 pounds, and in all other containers. Casaba melons in bulk (no containers)..... Cranshaw melons in jumbo or standard crates with a net weight of 40 pounds or more. Cranshaw melons in jumbo or standard crates with a net weight of less than 40 pounds and in all other containers. Cranshaw melons in bulk (no container)..... All other melons, in any container..... All other melons, in bulk (no containers).....	Jumbo crate..... Standard crate..... Pony crate..... Pound..... Jumbo or standard crate..... Pound..... Jumbo or standard crate..... Pound..... Pound..... Pound..... Pound.....	All year..... All year..... All year..... All year..... All year..... All year..... All year..... All year..... All year.....	\$2.65 2.30 2.15 .0614 .0446 2.05 .0493 .0320 2.50 .0625 .0457 .0488 .0320	Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below. Maximum price for item 3 above divided by 35. Col. 5 price plus freight from Mendota, California. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below. Maximum price for item 6 above divided by 42 pounds. Col. 5 price plus freight from Mendota, California. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below. Maximum price for item 9 above divided by 40. Col. 5 price plus freight from Mendota, California. Col. 5 price plus freight from Mendota, California, plus protective services stated in Table A below.	Col. 6 price plus 70¢. Col. 6 price plus 60¢. Col. 6 price plus 65¢. Col. 6 price plus 1¼¢. Col. 6 price plus 1¼¢. Col. 6 price plus 60¢. Col. 6 price plus 1¼¢. Col. 6 price plus 60¢. Col. 6 price plus 1¼¢. Col. 6 price plus 1¼¢.

¹ In figuring a price under this column, the Column 5 price to be used is the price in effect at the time of sale at the wholesale receiving point.

² For the sellers covered by Column 7 see general provisions of this appendix.

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

Approved: May 22, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

PAUL A. PORTER,
Administrator

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305, Amdt. 15]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 305 is amended in the following respects:

1. Paragraphs (a) and (b) of § 1351.1754 are amended to read as follows:

(a) The maximum base point price for yellow corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be \$3.27 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be \$3.71 per hundredweight at the basing point of Kansas City, Missouri.

2. Section 1351.1766 (c) is amended to read as follows.

(c) "Corn products" mean every product of corn made by a dry corn milling process from yellow corn, white corn or popcorn, including, but not limited to, corn meal, corn flour, corn grits, grits

and brewers grits, hominy feed, corn bran, corn germ cake and corn germ meal, but not including ground or cracked corn or corn feed meal which is used for animal feeding purposes, or products made by a dry corn milling process which prior to sale by a processor have been materially changed in form by further processing, including, but not limited to, brewers flakes, confectioners flakes and corn flakes.

This amendment shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

Approved: May 27, 1946.

N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-8998; Filed, May 28, 1946;
4:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Amdt. 84]

TRANSPORTATION BY WATER BY CARRIERS
OTHER THAN COMMON CARRIERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.46 (f) is amended by the addition of a new subparagraph (8) to read as follows:

(8) Transportation by water by carriers other than common carriers (including rentals of vessels) except when performed within the limits of a single harbor or between places in contiguous harbors, or when performed between United States ports on the Great Lakes: *Provided*, That this paragraph shall not apply to the transportation of coal which remains subject to control.

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8049; Filed, May 29, 1946;
11:23 a. m.]

PART 1433—UNPROCESSED AGRICULTURAL
COMMODITIES

[MPR 426, Amdt. 182]

FRESH FRUITS AND VEGETABLES FOR TABLE
USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, paragraph (b), Appendix H, Table (4), Maximum Prices for Snap Beans, Green or Wax), is amended to read as follows:

TABLE 4—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Column 1 Item No.	Column 2 Type, variety, style of pack, etc.	Column 3 Unit	Column 4 Season	Column 5 Maximum prices f. o. b. shipping points in Florida and California. ¹	Column 6 Maximum prices for sales delivered to any wholesale receiving point in any quantity. ²	Column 7 Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer. ³
1	Snap beans in bushel containers with a net weight of 28 pounds or more.	Bushel-----	Nov. 1-Dec. 31----	\$3.35	Col. 5 price plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents for protective services.	Col. 6 price plus 75 cents.
2			Jan. 1-Feb. 29----	3.69		
3			Mar. 1-Apr. 30----	3.35	Col. 5 price plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents for protective services, for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.	
4			May 1-May 31----	2.80		
5			June 1-June 29----	2.80	Col. 5 price plus freight (including 3% transportation tax) from Falcon, North Carolina, for all markets east of and including Chicago, Illinois, or from San Jose, California, for all markets west of Chicago, Illinois; plus 10 cents for protective services.	
6			July 1-July 15----	2.50		
7			July 16-Sept. 30----	2.50	Col. 5 price plus freight (including 3% transportation tax) from shipping point plus actual cost of protective services not to exceed common carrier's lowest charge for the same services.	
8			Oct. 1-Oct. 31----	2.80	Col. 5 price plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents protective services for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.	
9	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers. ⁴	Pound-----	Nov. 1-Dec. 31----	Cents per pound 11.0	Maximum price above (item 1) divided by 23.	Col. 6 price plus 27½ cents per pound.
10			Jan. 1-Feb. 29----	12.8	Maximum price above (item 2) divided by 24.	
11			Mar. 1-Apr. 30----	11.0	Maximum price above (item 3) divided by 23.	
12			May 1-May 31----	10.0	Maximum price above (item 4) divided by 23.	
13			June 1-June 29----	10.0	Maximum price above (item 5) divided by 23.	
14			July 1-July 15----	8.0	Maximum price above (item 6) divided by 23.	
15			July 16-Sept. 30----	8.0	Maximum price above (item 7) divided by 24.	
16			Oct. 1-Oct. 31----	10.0	Maximum price above (item 8) divided by 23.	

¹ Maximum prices f. o. b. shipping point apply only to Florida November-February, to Florida and California, March-June, to North Carolina, July 1-15, to all other areas July 16-September 30, and to Florida and California in October.

² On intrastate shipments in the States of Florida and California no allowance for protective service shall be added.

³ The maximum price for snap beans sold in bulk (loose without containers) shall be 1 cent per pound less than the price per pound listed in columns 5, 6 or 7.

⁴ For rules covered by column 7, see general provisions of this appendix.

⁵ 10 F.R. 8021, 7500, 7539, 7578, 7668, 7683, 7799, 8069, 8239, 8238, 8612, 8407, 8611, 8657, 8905, 8936, 8923, 9118, 9119, 9277, 9447, 9623, 9928, 10087, 10025, 10229, 10311, 10303, 11072, 12213, 12084, 12408, 12447, 12632, 12637, 12762, 13745, 12360, 13123, 13271, 13313, 13363, 13395, 13776, 14027, 15035, 15174; 11 F.R. 557, 608, 1102, 1356, 1213, 1526, 1819, 1819, 2931, 2771, 2822, 3153, 3083, 3300, 3009, 3753.

This amendment shall become effective June 3, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

Approved: May 7, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-9051; Filed, May 29, 1946;
11:29 a. m.]

PART 1305—ADMINISTRATION

[SO 132,¹ Amdt. 34]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN FOODS, GRAINS AND CEREALS, FEEDS, TOBACCO AND TOBACCO PRODUCTS, AGRICULTURAL CHEMICALS, INSECTICIDES AND BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended in the following respects:

1. In section 1 (a) (1) the commodity "Crabmeat, fresh, frozen and canned" is amended to read "Crabmeat, fresh, frozen and canned (domestic and imported)";

2. In section 1 (a) (2) the commodity "Cauliflower, canned (imported)" is amended to read "Cauliflower, canned (domestic and imported)"; the commodity "Beets, canned" is amended to read "Beets, canned. (This does not include strained or chopped beets sold as "baby food" or "junior food")"; the commodity "Turnip greens, canned" is amended to read "Vegetable greens, canned. (This does not include canned spinach, nor does it include strained or chopped vegetable greens sold as "baby food" or "junior food")"; and the following commodities are added in alphabetical order:

Artificially colored seedless grapes when sold for use as food garnishes
Broccoli, canned
Brussels Sprouts, canned
Carrots, canned (imported)
Carrots, frozen
Celery and Celery Juice, canned
Citron (imported and domestic)
Okra, frozen
Peppers, frozen (This includes pimentos)
Pumpkin, canned and frozen
Squash, canned and frozen
Tempala, frozen

3. In section 1 (a) (5) the following commodity is added in alphabetical order:

Pepper sauce and chili sauce made from dried chili peppers (This does not include any sauce containing tomatoes).

4. In section 1 (a) (6) the following commodities are added in alphabetical order:

Frozen pastries, frozen pies, and all other frozen baked goods.

5. In section 1 (a) (7) the following commodity is added in alphabetical order:

Grated cheese

¹ 10 F. R. 14954, 15170, 11 F. R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021, 4090.

6. In section 1 (e) the following commodities are added in alphabetical order:

Antiseptically treated poultry litter
Calcium carbonate (limestone) for feeding purposes

7. In section 1 (f) the following commodity is added in alphabetical order:
Fur cleaner processed from corn oil meal

This amendment shall become effective May 29, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator

Approved May 15, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46-9057; Filed, May 29, 1946;
11:29 a. m.]

Chapter XVIII—Office of Economic Stabilization

PART 4001—WAGES AND SALARIES

SUPPLEMENTARY WAGE AND SALARY REGULATIONS

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F. R. 7871), Executive Order 9328 of April 8, 1943 (8 F. R. 4681), Executive Order 9599 of August 18, 1945 (10 F. R. 10155), Executive Order 9651 of October 30, 1945 (10 F. R. 13487), Executive Order 9697 of February 14, 1946 (11 F. R. 1691) and Executive Order 9699 of February 25, 1946 (11 F. R. 1929) § 4001-301 of the Supplementary Wage and Salary Regulations of March 8, 1946 (11 F. R. 2517) is hereby amended by the addition of the following paragraph:

(f) Any wage or salary increase made in a territory or possession of the United States to the extent that such wage or salary increase is exempted by the appropriate wage or salary stabilization agency from the operation of the wage and salary regulations.

(E.O. 9250, 7 F. R. 7871, E.O. 9328, 8 F. R. 4681, E.O. 9599, 10 F. R. 10155; E.O. 9620, 10 F. R. 12033; E.O. 9651, 10 F. R. 13487; E.O. 9697, 11 F. R. 1691, and E.O. 9699, 11 F. R. 1929)

MAY 27, 1946.

CHESTER BOWLES,
Economic Stabilization Director

[F. R. Doc. 46-9085; Filed, May 29, 1946;
11:50 a. m.]

[Directive 113]

PART 4003—SUPPORT PRICES: SUBSIDIES

IMPORTS OF WET SALTED HIDES, CALF AND KIPSKINS

The Office of Price Administration, the Civilian Production Administration, and the Reconstruction Finance Corporation have submitted information to me with respect to the need for continuing imports of certain types of wet salted hides from Latin America and the West Indies and with respect to the necessity for maintaining the domestic sales price of such hides at existing levels. After care-

ful consideration and after consultation with representatives of the interested agencies, I hereby find that in order to continue imports of such wet salted hides without increasing the domestic price it will be necessary to provide a temporary program subsidizing such imports.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F. R. 7871), Executive Order 9328 of April 8, 1943 (8 F. R. 4681), Executive Order 9599 of August 18, 1945 (10 F. R. 10155), Executive Order 9651 of October 30, 1945 (10 F. R. 13487), Executive Order 9697 of February 14, 1946 (11 F. R. 1691) and Executive Order 9699 of February 21, 1946 (11 F. R. 1929), *it is hereby ordered.*

1. The Reconstruction Finance Corporation is authorized and directed to establish and carry out the following purchase and resale at a loss program with respect to imports of wet salted hides:

(a) The program shall apply to purchases in Latin American countries and the West Indies of the following types of wet salted hides:

(1) Frigorifico and establishment hides, calf and kipskins.

(2) Any other type of hides, calf and kipskins.

(b) The Reconstruction Finance Corporation shall purchase hides of the types described in paragraph (a) at prices in excess of the schedule of maximum prices for purchase of such hides by the Reconstruction Finance Corporation in effect on May 8, 1946, up to the following amounts:

(1) In the case of frigorifico and establishment hides, calf and kipskins—20%.

(2) In the case of any other hides, calf and kipskins—15%.

(c) The Reconstruction Finance Corporation shall absorb any increase in purchase price paid under the authority of paragraph (b) in sales to United States purchasers and any increased duty resulting directly from such increased purchase price.

2. The purchase and resale at a loss program authorized by section 1 shall be limited to the amount of hides and skins purchased by the Reconstruction Finance Corporation pursuant to the recommendations of the Civilian Production Administration and the Combined Hides, Skins and Leather Committee.

Issued and effective this 27th day of May 1946.

CHESTER BOWLES,
Director

[F. R. Doc. 46-9086; Filed, May 29, 1946;
11:50 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 4]

PART 8304—DISPOSAL OF AIRCRAFT AND COMPONENTS AND PARTS OF AIRCRAFT

Surplus Property Administration Regulation 4, December 21, 1945, entitled "Disposal of Aircraft and Components and Parts of Aircraft" (11 F. R. 179, 3691) is hereby revised and amended as hereinafter set forth. New matter is indi-

cated by underscoring. Order 3, December 28, 1945 (11 F.R. 181) under this part is hereby revoked and rescinded. Order 4, January 31, 1946 (11 F.R. 1471) under this part shall remain in full force and effect..

- Sec.
8304.1 Definitions.
8304.2 Scope.
8304.3 Allocation.
8304.4 Interdepartmental Advisory Committee on Surplus Aircraft Disposal.
8304.5 Establishing minimum prices.
8304.6 Disposal of tactical aircraft.
8304.7 Disposal of transport aircraft.
8304.8 Disposal of other aircraft and aeronautical devices.
8304.9 Disposal of components and parts.
8304.10 Determination to be commercially unsalable.
8304.11 Disposals for educational and public health purposes.
8304.12 Nonprofit institutions and instrumentalities.
8304.13 Donation, destruction, or abandonment.
8304.14 Disposal as salvage or scrap.
8304.15 Rendering components and parts unfit for intended use.
8304.16 Regulations by agencies to be reported to the Administrator.
8304.17 Records and reports.

AUTHORITY: §§ 8304.1 to 8304.17, inclusive, issued under Surplus Property Act of 1944, (58 Stat. 765; 50 U. S. C. App. Sup. 1611), Public Law 181, 79th Cong., 1st Sess. (59 Stat. 533), Executive Order 9689 (11 F.R. 1265), and Public Law 379, 79th Cong., 2d Session.

§ 8304.1 *Definitions.* (a) *Terms defined in act.* Terms not defined in paragraph (b) of this section which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given to them in the act.

(b) *Other terms.* (1) "Aeronautical property" means personal property peculiar to aircraft, and includes but is not limited to aircraft, airframes, all spare parts of airframes, all airborne components, accessories and items of equipment which comprise complete airplanes and their spare parts, aeronautical training and instructional equipment and aids, specialized tools and equipment and tool kits used solely in aircraft maintenance and synthetic flight training devices and their spare parts. Aeronautical property does not include radios not installed in any aircraft, non-heated flight clothing, life rafts and life saving devices other than personnel parachutes, and such items of oxygen equipment and such navigation instruments and aids as are not normally installed in or attached to an aircraft.

(2) "Commercially unsalable property" as used herein is distinguished from property of no commercial value as used in Part 8319¹ and means property which has no reasonable prospect of sale at or above a minimum price established by the disposal agency, or where such minimum price has not been established, no reasonable prospect of sale except as salvage or scrap.

(3) "Salvage" means property that is in such a worn, damaged, deteriorated or incomplete condition, or is of such a specialized nature that it has no reason-

able prospect of sale as a unit, or is not usable as a unit without major repairs or alteration. Salvage has some value in excess of its basic material content because it may contain serviceable components or may have value to a purchaser who may make major repairs or alterations. Salvage includes used containers and cable reels.

(4) "Scrap" means property that has no reasonable prospect of sale except for its basic material content.

(5) "Instrumentality" as used herein refers to any instrumentality of a State, territory, or possession of the United States, the District of Columbia, or any political subdivision thereof, as well as such States and subdivisions themselves.

(6) "Nonprofit institution" means any nonprofit scientific, literary, educational, public-health, public-welfare, charitable or eleemosynary institution, organization, or association, or any nonprofit hospital or similar institution, organization or association, which has been held exempt from taxation under section 101 (6) of the Internal Revenue Code, or any nonprofit volunteer fire company or cooperative hospital or similar institution which has been held exempt from taxation under section 101 (8) of the Internal Revenue Code.

(7) "Educational institution or instrumentality" means any school, school system, library, college, university, or other similar institution, organization, or association, which is organized for the primary purpose of carrying on instruction or research in the public interest, and which is a nonprofit institution or an instrumentality.

(8) "Public-health institution or instrumentality" means any hospital, board, agency, institution, organization or association, which is organized for the primary purpose of carrying on medical, public-health, or sanitarional services in the public interest, or research to extend the knowledge in these fields, and which is a nonprofit institution or an instrumentality.

(9) "Tactical aircraft" means those generally useful only for military purposes and include aircraft of types designed and useful only for tactical and strategic military missions, as well as such advance trainers and such basic trainers as are not generally suitable for civilian flying.

(10) "Transport aircraft" means those which are designed to perform or can economically be converted to perform the commercial transportation of persons or property or both. This class includes single and multi-engined land aircraft, seaplanes and amphibians of 5,000 pounds gross weight and over.

§ 8304.2 *Scope.* This part applies to the disposal of surplus aeronautical property located in the continental United States, its territories and possessions.

§ 8304.3 *Allocation.* Surplus aeronautical property in short supply may be allocated by the Administrator to satisfy the needs of the armed forces

as provided in section 6 of the Act and the needs of priority claimants as provided for in Part 8302.² Thereafter the Administrator may allocate aeronautical property in short supply to others applying therefor. Allocations will be made in such a manner as will effectuate the objectives of the Act including the promotion of an adequate and economical national transportation system. In the allocation of such property, due consideration will be given to the needs of foreign transportation systems for such property, as recommended by the Department of State.

§ 8304.4 *Interdepartmental Advisory Committee on Surplus Aircraft Disposal.* Pursuant to arrangements made with other interested Government agencies, there is established an Interdepartmental Advisory Committee on Surplus Aircraft Disposal which shall function as an advisory committee to the Administrator and shall consist of representatives of the Department of State, the War Department, the Navy Department, the Department of Commerce, the Office of the Foreign Liquidation Commissioner, the Civil Aeronautics Board, the Reconstruction Finance Corporation, the War Assets Administration, and a representative of the Administrator, who shall serve as Chairman of the Committee. It shall be the duty of such committee to furnish advice and make recommendations to the Administrator with respect to the policies and procedures to be applied in the disposal of surplus aircraft, the allocation of aeronautical property in short supply, and all other matters relating to surplus aeronautical property upon which advice may be requested by the Administrator.

§ 8304.5 *Establishing minimum prices.* The disposal agency is authorized to establish minimum prices for items of aeronautical property and to treat as commercially unsalable any such property which after a reasonable test of the market it concludes cannot be sold within a reasonable period of time at prices equal to or greater than such minimum prices.

§ 8304.6 *Disposal of tactical aircraft.* (a) Aside from a relatively small demand for tactical aircraft to serve specialized industrial, educational and private uses, there is no significant market for aeronautical property of this class.

(b) Tactical aircraft which have been determined to be commercially unsalable by the disposal agency shall be disposed of as salvage or scrap as hereinafter provided, or otherwise, and when disposed of other than as salvage or scrap by the disposal agency, such property shall be disposed of at fixed prices. Fixed prices for any such aircraft shall not be less than the sum of the fair market value of its usable components and the scrap value of its residual basic material.

² Reg. 2 (11 F.R. 5125).

¹ SPA Reg. 19 (10 F.R. 14966; 11 F.R. 3691.)

§ 8304.7 *Disposal of transport aircraft.* In the disposal of transport aircraft, the disposal agency shall establish, with the approval of the Administrator fixed prices for such aircraft. In fixing such prices, the disposal agency should give consideration to the potential earning power of the aircraft in relation to other models, its estimated economical life in scheduled and nonscheduled commercial service, the degree of modification required for conversion to civilian use and the relationship between supply and demand. If the disposal agency determines that transport aircraft are beyond economical repair or that a fixed price cannot be readily established because of obsolescence, specialized design or other exceptional circumstances, such aircraft may be disposed of by competitive bidding or other method of sale considered appropriate by the disposal agency. The disposal agencies shall attempt, whenever practicable, to dispose of surplus transport type aircraft by sale rather than by lease. Transport aircraft of models approved by the Administrator, may, however, be leased by the disposal agency upon terms approved by the Administrator; *Provided, however* That after June 30, 1946, transport aircraft shall be disposed of only by sale.

§ 8304.8 *Disposal of other aircraft and aeronautical devices.* Single and multi-engine aircraft other than those constituting transport or tactical aircraft which are primarily suitable for personal or charter flying, primary trainers and such basic trainers as are suitable for private flying and civilian flight training, miscellaneous aircraft, including gliders, airships, and rotary wing aircraft not otherwise classified, and synthetic flight training devices, should where practicable be sold at fixed prices or by competitive bidding, "where is, as is," with the disposal agency reserving the right to reject all bids.

§ 8304.9 *Disposal of components and parts.* It is recognized that substantial amounts of components and parts of aeronautical property are so specialized that only a small portion has value in the civilian economy, except as salvage and scrap. In order to minimize Government expense and in order to expedite the disposal of surplus components and parts, the following methods shall be employed in the reporting and disposal thereof:

(a) *Listing of items which may have use in civil or commercial aviation.* The disposal agency in conjunction with the owning agency shall, after a survey of those components and parts known or believed to be usable in civil and commercial aviation, prepare a list of such components and parts.

(b) *Segregation of items which may have use in civil or commercial aviation.* Upon preliminary report in writing by the owning agency, directed to the disposal agency that any depot or installation under the jurisdiction of such own-

ing agency contains substantial quantities of surplus components and parts, the disposal agency shall examine the inventory in the preliminary report and promptly issue shipping instructions, authorizing physical transfer of such components and parts which are listed as usable in civil or commercial aviation, to a designated location. Such preliminary report shall be considered as an intention to file a declaration of surplus but shall not be considered to be the declaration of surplus property as provided in paragraph (d) of this section. The preliminary report shall contain sufficient data to identify the type of property, the cost to the Government thereof, and its location. Thereafter, the disposal agency shall dispose of such components and parts at fixed prices. Consistent with orderly disposal and after determination by inspection has been made by the disposal agency that components and parts are usable in civil or commercial aviation or otherwise have commercial value, the owning agency shall promptly declare such property surplus in the manner provided in paragraph (d).

(c) *Residual components and parts.* After shipment as described in paragraph (b) such portion of the residual quantities of components and parts in the possession of the owning agency as are determined by the disposal agency to be commercially unsalable may be disposed of by the owning agency as salvage or scrap pursuant to § 8304.14 (b) and such portion of the residual components and parts as are determined by the disposal agency to have possible commercial value, shall, with the assistance of the owning agency, be disposed of by the disposal agency by orderly sale, "where is, as is," at the best price obtainable.

(d) *Declaration of surplus.* Owning agencies declaring surplus components and parts usable in civil or commercial aviation, or having possible commercial value, under paragraphs (b) and (c) may use a copy of the shipping ticket, bill of sale or other list of property as the declaration, *Providing*, That a Form SPB-1 or Form SPB-1.2 (or any superseding form) is used as a cover sheet and that all of the information required by the Form SPB-1 or Form SPB-1.2 is shown either on the Form SPB-1 or Form SPB-1.2 or on the supporting documents, and *Provided further* That not more than ninety-nine shipping tickets, bills of sale or other lists of property shall be attached to a single covering Form SPB-1 or Form SPB-1.2.

§ 8304.10 *Determination to be commercially unsalable.* In order to obtain the greatest return to the Government and at the same time to obviate all unnecessary expense of care, handling,

shipping, reconditioning, and maintenance of such property, the disposal agency shall make prompt determination as to those items of aeronautical property which are commercially unsalable and should therefore be promptly disposed of as salvage or scrap. Such a determination by the disposal agency may be made by any of the following methods:

(a) By the offering of reasonable quantities for sale;

(b) By a finding of the Civilian Aeronautics Administration based upon considerations of flight safety;

(c) By a finding of the War Department or the Navy Department, based upon the requirements of national defense, that an item of aeronautical property should not be approved for general civilian flight use;

(d) By a finding of the disposal agency that there is an oversupply which exceeds any known or foreseeable demand;

(e) By the findings of expert consultants;

(f) By direct findings of the disposal agency in cases where the cost of care and handling is believed to exceed foreseeable returns.

§ 8304.11 *Disposals for educational and public health purposes.* (a) Where the disposal agency determines that any item of surplus aeronautical property is commercially unsalable, disposal may be made to educational or public-health institutions or instrumentalities as provided in this section. The disposal agency shall compile a list of such items and shall ascertain fixed prices which will reflect the benefit which has accrued or may accrue to the United States from the use of such property by educational or public-health institutions or instrumentalities. Such lists shall be submitted to the Administrator, and if approved, will be published by order hereunder. The disposal agency is authorized to dispose of such property to educational or public-health institutions or instrumentalities at the prices so approved; *Provided, however*, That no such disposals at the prices so approved may be allowed to any nonprofit institutions which are not exempt from taxation under section 101 (6) of the Internal Revenue Code.

(b) The disposal agency shall establish procedures pursuant to which educational or public-health institutions or instrumentalities may make written application for surplus aeronautical property available for disposal to such institutions or instrumentalities. Such procedures shall include (1) a certification that the applicant is an educational or public-health institution or instrumentality as defined in § 8304.1, (2) a certification of the purposes for which the property is to be acquired, and in the case of aircraft an agreement that it will not be flown except for purposes of research or experiment in connection with the science of aeronautics, and (3) an agreement that the property will not be resold to others within three (3) years of the date of purchase without the consent in writing of the disposal agency un-

less it is mutilated or otherwise rendered unfit for use except as scrap.

§ 8304.12 *Nonprofit institutions and instrumentalities.* The price at which nonprofit institutions and instrumentalities, including educational and public-health, shall be entitled to acquire surplus aeronautical property from the disposal agency if a price list has not been published under the preceding section, shall not be greater than the lowest price at which such property is offered other than scrap to any trade level at the time of acquisition by the nonprofit institution or instrumentality.

§ 8304.13 *Donation, destruction, or abandonment.* Donation, destruction, or abandonment of surplus aeronautical property shall be governed by the provisions of Part 8319: *Provided, however* That donations to nonprofit educational or public health institutions or instrumentalities of aeronautical property listed on any order published pursuant to § 8304.11 shall not be made by owning agencies under the act of February 14, 1927 (44 Stat. 1096; 34 U. S. C. 546a) or the act of May 26, 1928 (45 Stat. 753; 20 U. S. C. 94) without the prior approval of the Administrator.

§ 8304.14 *Disposal as salvage or scrap.* Pursuant to arrangements reached between Reconstruction Finance Corporation, the War Department, and the Navy Department the following procedures shall be followed with regard to domestic disposal of surplus aeronautical property as salvage or scrap:

(a) *Disposal of aircraft as salvage or scrap.* (1) Surplus flyable aircraft which are determined by the disposal agency to be commercially unsalable may be disposed of by owning agencies as salvage or scrap unless other disposition is directed by such disposal agency* or such aircraft may be reported by the owning agency to the disposal agency, and the disposal agency shall dispose of them as salvage or scrap. Non-flyable aircraft determined by the disposal agency to be commercially unsalable shall be disposed of as salvage or scrap by owning agencies unless other disposition is directed by the disposal agency, and such aircraft should not be declared surplus by owning agencies.

(2) The disposal of flyable aircraft as salvage by owning or disposal agencies shall in each case be accompanied by a written representation from the purchaser thereof that he is acquiring such property as salvage (i. e. for salvaging by disassembly or for non-flight use) and that it will not be resold to another for purposes other than salvage. The disposal of aircraft as scrap by owning or disposal agencies shall in each case be accompanied by a scrap warranty as defined in Part 8309³ obtained from the purchaser thereof.

(b) *Disposal of components and parts as salvage or scrap.* Surplus components and parts which are determined

by the disposal agency to be commercially unsalable shall be promptly disposed of by owning agencies as salvage or scrap, unless other disposition is directed by such disposal agency. When such items are in the possession of the disposal agency, they shall be promptly disposed of as provided for in this part by such disposal agency.

(c) *Removal of components and parts.* When an owning agency disposes of commercially unsalable aeronautical property as salvage or scrap, the disposal agency may direct such owning agency to remove such components and parts therefrom as the disposal agency may find have sufficient value to warrant the cost of removal, storage, care, and handling.

§ 8304.15 *Rendering components and parts unfit for intended use.* (a) The Administrator has determined that, in the case of components and parts, such property may become commercially unsalable as the volume of surplus declarations increase and that in order not to incur excessive costs of care and handling and to insure orderly disposal and prevent speculative resale, certain components and parts determined to be commercially unsalable by reason of oversupply should be rendered unfit for intended use before disposal as salvage or scrap.

(b) Where the disposal agency finds such action to be required with respect to components and parts in its possession, it shall render such property unfit for intended use prior to sale as salvage or scrap.

(c) In those cases where the disposal agency finds such action to be required with respect to components and parts in the possession of an owning agency, it shall direct the owning agency not to dispose of such property as salvage or scrap in accordance with the provisions of § 8304.14 (b) but instead to declare such components and parts to the disposal agency in the same manner as commercially salable components and parts to the end that all such property may be rendered unfit for intended use by the disposal agency.

§ 8304.16 *Regulations by agencies to be reported to the Administrator.* Owning and disposal agency shall file with the Administrator copies of all regulations, orders, and instructions of general applicability which it has issued or may hereafter issue in furtherance of the provisions, or any of them, of this part.

§ 8304.17 *Records and reports.* Each owning and disposal agency shall prepare and maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of the Surplus Property Act of 1944, relating to the disposal of surplus aeronautical property.

NOTE: All reporting requirements of this part have been approved by the Bureau of

the Budget in accordance with the Federal Reports Act of 1942.

This revision of this part shall become effective May 31, 1946.

E. B. GREGORY,
Administrator.

MAY 21, 1946.

[F. R. Doc. 46-3037; Filed, May 23, 1946; 12:03 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

SUBPART C—ANCHORAGE AND RESTRICTED AREAS

Pursuant to the authority contained in section 1, Title II, of the Espionage Act approved June 15, 1917, 40 Stat. 220 as amended by the Act of November 15, 1941, 55 Stat. 763 (50 U.S.C. 191, 191c) and by virtue of the Proclamation Number 2412 issued June 27, 1940 (5 F.R. 2419), the Regulations for the Security of Ports and Control of Vessels in the Navigable Waters of the United States are amended as follows:

First Naval District: Sections 6.1-130 and 6.1-132 are rescinded and § 6.1-130 substituted to read as follows:

§ 6.1-130 *Massachusetts—Cape Cod restricted area off Race Point and Peaked Hill Bar.* (a) Area A is bounded as follows: line drawn from a point on the shore in position 42°03'06" N., 70°13'30" W., due west to 70°15'54" W., thence due north to 42°04'24" N., thence due east to the shoreline.

(b) Area B is bounded as follows: A line drawn from a point on the shore in 42°04'54" N., 70°11'00" W., due north to 42°06' N., thence due east to 70°08'00" W., thence south to the shoreline.

(c) *The regulations.* All vessels are warned not to enter the above areas. Vessels are warned that to pass through might cause loss of vessel and personnel. Small craft are allowed passageway inshore of the fifty (50) foot depth line around the tip of Race Point in the area formerly known as Area A. The enforcing officer shall be the Commandant, First Naval District, and such agencies as he may designate.

Seventh Naval District. A new § 6.7-4 is added to read as follows:

§ 6.7-4 *Live firing area for strafing, Key West, Florida—*(a) *The area.* The area is bounded on the north by latitude 24°51'03", on the south by latitude 24°48'52", on the east by longitude 81°13'52" and on the west by longitude 81°16'21". The hull of an ex-Naval Vessel (PE-19) is located in the center of the area and is used by U. S. Fleet Aircraft for live strafing.

(b) *The regulations.* The area is closed to all vessels at all times.

³ SPA Reg. 9 (10 F.R. 12961, 14966; 11 F.R. 3691).

(c) *Enforcing officer* These regulations shall be enforced by the Captain of the Port, Key West, Florida.

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

Approved: May 23, 1946.

HARRY TRUMAN,
The White House.

[F. R. Doc. 46-8993; Filed, May 28, 1946;
1:49 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

AUTOMOTIVE STORAGE BATTERIES

Effective June 16, 1946, § 4.1 *Exclusive procurement by Procurement Division; commodities* is hereby amended by the addition of paragraph (m) reading as follows:

(m) *Automotive storage batteries.* Automotive storage batteries, new, for use within continental United States (excluding Alaska) except in emergencies requiring immediate purchase, when not more than two batteries may be purchased directly in any instance, and except for requirements of the field services of the Navy Department and the Corps of Engineers, War Department.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2) Proc. Div. Circ. Letter B-38, dated May 29, 1946)

Dated May 29, 1946.

[SEAL] J. D. TOMPKINS,
Acting Director of Procurement.

[F. R. Doc. 46-9083; Filed, May 29, 1946;
11:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2197]

PART 4—DELEGATIONS OF AUTHORITY

COMMISSIONER OF RECLAMATION

MAY 16, 1946.

Pursuant to the provisions of the Act of December 19, 1941 (55 Stat. 842), subsection 1 (a) of Departmental Order No. 2018 (10 F.R. 259) dated December 22, 1944, is hereby amended to read as follows:

(a) To appoint appraisers or appraisal boards to make appraisals or reappraisals of lands or interests therein and water rights in connection with acquisitions under the Federal Reclamation Laws; to make or approve appraisals in all cases where the amounts involved do not exceed \$50,000 for a property in one ownership; to contract for and effect the purchase or exchange of lands or interests therein and water rights at appraised

values, but any exchange involving withdrawn public lands shall be effected only with the concurrence of the Commissioner of the General Land Office; and to effect, at approved appraised values, the acquisition or, through exercise of the power of attorney, the sale of lands or interests therein under the provisions of recordable contracts entered into in accordance with the Columbia Basin Project Act (57 Stat. 14). In the event the authority under this subsection is exercised by other than the Commissioner of Reclamation, the forms of purchase, sale, or exchange contracts shall be first approved by the Commissioner.

This order is to be effective immediately.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior

[F. R. Doc. 46-9024; Filed, May 29, 1946;
10:03 a. m.]

Chapter II—Bureau of Reclamation, Department of the Interior

PART 402—ANNUAL WATER CHARGES

DESCHUTES IRRIGATION PROJECT, NORTH UNIT, OREGON

CROSS REFERENCE: For addition to tabulation in § 402.2 see Bureau of Reclamation, Department of the Interior, in Notices section.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 525]

PART 95—CAR SERVICE

MOVEMENT OF BITUMINOUS COAL RESTRICTED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of May, A. D. 1946.

It appearing, that there is a shortage of bituminous coal and an accumulation of loaded coal cars at coal loading points, and that the Solid Fuels Administrator for War has issued an order pursuant to SFAW Regulation No. 1 directing that coal producers in all States east of the Mississippi River, except Michigan, shall hold unbilled cars loaded with bituminous coal subject to its directions for shipping same; the Office of Defense Transportation has made representations to this Commission regarding an emergency existing with respect to coal transportation and has recommended that this Commission take such action as is necessary under the circumstances; the Commission is of opinion an emergency requiring immediate action exists in all States located east of the Mississippi River except Michigan; it is ordered, that:

(a) *Movement of bituminous coal restricted.* No railroad subject to the Interstate Commerce Act, serving bituminous coal mines in any State located east of the Mississippi River, except in the State of Michigan, shall transport cars loaded with bituminous coal,

whether billed or unbilled, from mines, from scales, from any point between said mines and scales, from any designated mine tracks or designated mine sidings, unless the transportation of such car or cars of coal is authorized by the permit agent appointed herein.

(b) *Application*—(1) *Operating mines.* This order shall not apply to, or at, any mine in operation.

(2) *Mines resuming operation.* At any mine which resumes operation after the effective date of this order, this order shall cease to apply twenty-four (24) hours after the first 7:00 a. m., after such mine resumes operation.

(3) *Intrastate and interstate.* This order shall apply to intrastate as well as interstate traffic.

(c) *Demurrage charges waived.* No railroad subject to this order shall assess or collect any demurrage for detention of cars loaded with bituminous coal and held in compliance with this order.

(d) *Railroad to furnish information.* Each railroad subject to this order shall furnish the Permit Agent appointed herein (1) number of cars of billed bituminous coal held under the provisions hereof, (2) name or names of consignees, (3) the number of cars of billed bituminous coal held for each consignee and (4) the point at which such car or cars are held.

(e) *Appointment of permit agent.* T. J. Leonard, Office of Defense Transportation, I. C. C. Building, Washington, D. C., telephone Republic 7500, Extension 2125, is hereby designated and appointed Permit Agent of the Interstate Commerce Commission for the purpose of permitting the transportation of coal described in paragraphs (a) and (b) hereof.

(f) *Rules, regulations, and practices suspended.* The operation of all rules, regulations and practices insofar as they conflict with the provisions of this order is hereby suspended.

(g) *Effective date.* This order shall become effective at 6:00 p. m., May 28, 1946.

(h) *Expiration date.* This order shall expire at 11:59 p. m., June 27, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall be served upon the State railroad regulatory bodies of each State located east of the Mississippi River except Michigan, and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 46-9034; Filed, May 29, 1946;
11:10 a. m.]

Chapter II—Office of Defense
Transportation

[General Order ODT 60, Amdt. 3]

PART 500—CONSERVATION OF RAIL
EQUIPMENT

RESTRICTIONS UPON PASSENGER TRAIN
SERVICE

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Orders 8989, as amended, and 9729,

It is hereby ordered, That General Order ODT 60, as amended (11 F.R. 4920, 4979, and 5230) be, and it is hereby, amended by inserting between §§ 500.90a and 500.91 an entirely new section designated as § 500.90b to read as follows:

§ 500.90b *Restrictions on certain special passenger trains.* (a) Except under special permit issued by the Director of the Railway Transport Department, Office of Defense Transportation, no common carrier by railroad subject to the provisions of § 500.90 of this General Order ODT 60, as amended, shall operate, or participate in the operation of, any special passenger train the operation of which involves the use, on any portion of its route, of coal-burning locomotive power.

(b) Except under special permit issued by the Director of the Railway Transport Department, Office of Defense Transportation, no common carrier by railroad subject to the provisions of § 500.90 of this General Order ODT 60, as amended, which has reduced its total daily coal-burning passenger service locomotive mileage by more than 25 per cent of the total coal-burning passenger service locomotive mileage operated by it on April 1, 1946, shall use any portion of such reduction for the operation of any special passenger train.

(c) The term "special passenger train", as used in this § 500.90b, means any passenger train not shown in current time tables.

This Amendment 3 to General Order ODT 60, as amended, shall become effective at 4:00 o'clock p. m., May 28, 1946. (Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827, 59 Stat. 658; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9729, 11 F.R. 5641)

Issued at Washington, D. C., this 28th day of May, 1946.

J. M. JOHNSON,
Director

Office of Defense Transportation.

[F. R. Doc. 46-8995; Filed, May 28, 1946; 3:02 p. m.]

[G. O. ODT 61, Revocation]

PART 501—CONSERVATION OF MOTOR
EQUIPMENT

RESTRICTIONS UPON MOTOR CARRIERS OF
PROPERTY FOR COMPENSATION

Pursuant to Executive Orders 8989, as amended, 9156, and 9729, *It is hereby ordered*, That:

(1) Section 501.530 (relating to restrictions upon motor carrier operations) and § 501.534 (relating to utilization of excess truck capacity) of General Order ODT 61 (11 F.R. 5749) be, and they are hereby, revoked, effective at 4:00 o'clock, p. m., May 27, 1946.

(2) General Order ODT 61, §§ 501.531 to 501.533, inclusive, and 501.535 to 501.540, inclusive, be, and it is hereby, revoked, effective at 4:00 o'clock, p. m., May 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9729, 11 F.R. 5641)

Issued at Washington, D. C., this 27th day of May 1946.

J. M. JOHNSON,
Director.

[F. R. Doc. 46-8920; Filed, May 27, 1946; 3:39 p. m.]

[G. O. ODT 62, Revocation]

PART 501—CONSERVATION OF MOTOR
EQUIPMENT

PRIVATE MOTOR CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, 9156, and 9729, *It is hereby ordered*, That:

(1) Section 501.551 (relating to directions to lease motor trucks) of General Order ODT 62 (11 F.R. 5751) be, and it is hereby, revoked effective at 4:00 o'clock, p. m., May 27, 1946.

(2) General Order ODT 62, § 501.550 and §§ 501.552 to 501.555, inclusive, be, and it is hereby, revoked, effective at 4:00 o'clock p. m., May 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9729, 11 F.R. 5641)

Issued at Washington, D. C., this 27th day of May 1946.

J. M. JOHNSON,
Director.

[F. R. Doc. 46-3921; Filed, May 27, 1946; 3:39 p. m.]

[G. O. ODT 63, Revocation]

PART 501—CONSERVATION OF MOTOR
EQUIPMENT

INTERCITY COMMON CARRIERS OF PASSENGERS
BY BUS

Pursuant to Executive Orders 8989, as amended, 9156, and 9729, *It is hereby ordered*, That General Order ODT 63, §§ 501.570 to 501.575, inclusive (11 F.R. 5752) be, and it is hereby, revoked, effective at 4:00 o'clock, p. m., May 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9729, 11 F.R. 5641)

Issued at Washington, D. C., this 27th day of May 1946.

J. M. JOHNSON,
Director.

[F. R. Doc. 46-8922; Filed, May 27, 1946; 3:39 p. m.]

[G. O. ODT 64, Revocation]

PART 506—CONSERVATION OF WATER
EQUIPMENT

RESTRICTION UPON THE TRANSPORTATION OF
PROPERTY BY CARRIERS BY WATER

Pursuant to Executive Orders 8989, as amended, and 9729, *It is hereby ordered*, That:

(1) Section 506.1 (relating to control of vessels) § 506.2 (relating to restrictions on operations of carriers by water) § 506.3 (relating to directions to charter vessels), and § 506.5 (relating to utilization of excess cargo space) of General Order ODT 64 (11 F.R. 5753) be, and they are hereby, revoked, effective at 4:00 o'clock, p. m., May 27, 1946.

(2) General Order ODT 64, §§ 506.4 and 506.6 to 506.10, inclusive, be, and it is hereby, revoked, effective at 4:00 o'clock, p. m., May 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9729, 11 F.R. 5641)

Issued at Washington, D. C., this 27th day of May 1946.

J. M. JOHNSON,
Director.

[F. R. Doc. 46-8923; Filed, May 27, 1946; 3:39 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

DESCHUTES IRRIGATION PROJECT, NORTH
UNIT, OREGON

AMENDMENT OF ANNOUNCEMENT OF ANNUAL
WATER RENTAL CHARGES NO. 1¹

WASHINGTON, D. C., May 10, 1946.

1. The Announcement of Annual Water Rental Charges dated April 30, 1946 (11 F.R. 5356) is hereby amended by substituting the following paragraph in lieu of paragraph 3 of the announcement:

3. *Charges and terms of payment.* Not to exceed 2½ acre-feet of water per acre will be furnished for each acre of land for which water service is requested, at the rate of \$1.50 for the first 1½ acre-feet or fraction thereof and at the rate of \$1.00 for the next acre-foot. All charges shall be payable by the District to the United States in advance of delivery of water.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

WILLIAM E. WARNE,
Acting Commissioner.

[F. R. Doc. 46-8925; Filed, May 23, 1946; 10:03 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 730 et al.]

BOSTON-NEW YORK-ATLANTA-NEW
ORLEANS CASE

NOTICE OF HEARING

In the matter of applications for certificates and amendments of certificates

¹ Affects § 402.2, chapter II, title 43.

of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that hearing in the above-entitled proceeding is assigned to be held on June 10, 1946 at 10:00 a. m. (eastern standard time) in Conference Room B, Departmental Auditorium, Constitution Avenue between 12th and 14th Sts. NW., before Examiners Ralph L. Wiser and Lawrence J. Kusters.

Dated Washington, D. C., May 28, 1946.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-9027; Filed, May 29, 1946;
10:49 a. m.]

FEDERAL POWER COMMISSION.

TRI-COUNTY GAS CO. (OF KANSAS)

[Docket No. G-325]

ORDER GRANTING REHEARING

MAY 21, 1946.

Upon consideration of the application filed on April 25, 1946, by The Tri-County Gas Company (of Kansas) ("Applicant"), for a rehearing of the order in this matter dated March 26, 1946, finding applicant to be a "natural-gas company" within the meaning of the Natural Gas Act and issuing a certificate of public convenience and necessity to applicant under the "grandfather" provision of section 7 (c) of the act, as amended; and It appearing to the Commission that: Good cause exists for granting such rehearing;

The Commission orders that:

(A) The application for rehearing of said order of March 26, 1946, be and the same is hereby granted, such rehearing to be held at a time and place to be hereafter fixed by the Commission.

(B) Interested State commissions may participate in the rehearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-9022; Filed, May 29, 1946;
10:03 a. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-203]

SAW AND BLADE SERVICE INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS WITH RESPECT TO PROPOSED TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 29th day of May A. D. 1946.

Opportunity is hereby extended by the Federal Trade Commission to any and

all persons, partnerships, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Saw and Blade Service Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 20, 1946. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., June 20, 1946, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street, NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-9029; Filed, May 29, 1946;
10:59 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order Number 6269]

M. HENSOLDT & SOEHNE, OPTISCHE WERKE

In re: Debt owing to M. Hensoldt & Soehne, Optische Werke.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That M. Hensoldt & Soehne, Optische Werke, the last known address of which is Wetzlar, Germany, is a national of a designated enemy country (Germany)

2. That the property described as follows: All those debts or other obligations owing to M. Hensoldt & Soehne, Optische Werke, by E. Wallor, 42-34 208th Street, Bayside, Long Island, New York, including particularly but not limited to that sum of money on deposit with The National City Bank of New York, New York, New York, in a compound interest department account, Account Number AN-12900, entitled E. Wallor, maintained at the branch office of the aforesaid bank located at 257 Broadway, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national

interest of the United States requires that such person be treated as a national of a designated enemy country (Germany),

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 9, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8946; Filed, May 28, 1946;
10:43 a. m.]

[Vesting Order 6270]

WILHELMINA RAHDER HOECK

In re: Debt owing to Mrs. Wilhelmina Rahder Hoeck.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Wilhelmina Rahder Hoeck, whose last known address is 35 Parkstrasse, Wiesbaden, Germany, is a resident of Germany, and a national of a designated enemy country (Germany),

2. That the property described as follows: All those debts or other obligations owing to Mrs. Wilhelmina Rahder Hoeck, by Adolphe and Dorothy Boissevain, 1115 Fifth Avenue, New York, New York, including particularly but not limited to that sum of money on deposit

with the Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 774, entitled Adolphe and Dorothy Boissevain, Agents, maintained at the branch office of the aforesaid bank located at 529 Fifth Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 9, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8947; Filed, May 28, 1946;
10:43 a. m.]

[Vesting Order 6271]

MARTHA RADDATZ

In re: Debts owing to Martha Raddatz.
Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Martha Raddatz, whose last known address is Marion Strasse 33, Kolberg, Pommern, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: All those debts or other obligations owing to Martha Raddatz, by Anna Junor, Portland, Oregon, and all rights to demand, enforce and collect the same, including particularly but not limited to that sum of money on deposit with The United States National Bank of Portland, Portland, Oregon, in a blocked commercial account, entitled Estate of Ernestine Luedke Bueerman by Anna Junor, Executrix, and a portion of the sum of money on deposit with The First National Bank of Portland, Portland, Oregon, in a blocked commercial account, entitled Anna Junor, Rent Account, maintained at the Sellwood branch office of the aforesaid bank located in Portland, Oregon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 9, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8348; Filed, May 23, 1946;
10:43 a. m.]

[Vesting Order 6274]

ELSA VOITH

In re: Debt owing to Elsa Voith.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elsa Voith, whose last known address is Harras, Port Prien, am Chiemsee, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: All those debts or other obligations owing to Elsa Voith, by Christian F. Benz, 35 Puritan Avenue, Tuckahoe, New York, including particularly but not limited to a portion of the sum of money on deposit with the Corn Exchange Bank Trust Co., 13 William Street, New York, New York, in a checking account, entitled Christian F. Benz, Special, maintained at the branch office of the aforesaid bank located at 157 East 42nd Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany),

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof,

if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 9, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8949; Filed, May 28, 1946;
10:43 a. m.]

[Vesting Order 6288]

JAKOB SCHOLLER

In re: Bank account owned by Jakob Scholler, also known as Jacob Scholler. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Jakob Scholler, also known as Jacob Scholler, whose last known address is Birkweller, Rhein Pfalz, Germany, is a resident of Germany and a national of a designated enemy country (Germany);
2. That the property described as follows: That certain debt or other obligation owing to Jakob Scholler, also known as Jacob Scholler, by American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, Account Number 6520, entitled Jakob Scholler, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8950; Filed, May 28, 1946;
10:43 a. m.]

[Vesting Order 6289]

MARGARETE GEISSE

In re: Bank account owned by Margarete Geisse.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Margarete Geisse, whose last known address is c/o Siemens, A. G., Berlin-Siemensstadt, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Margarete Geisse, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a compound interest department account, Account Number A-103554, entitled Mrs. Margarete Geisse, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, in-

cluding appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8951; Filed, May 28, 1946;
10:43 a. m.]

[Vesting Order 6290]

ANTONIA GROHMANN

In re: Bank account owned by Antonia Grohmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Antonia Grohmann, whose last known address is Germany, is a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Antonia Grohmann, by The Seamen's Bank for Savings in the City of New York, 74 Wall Street, New York, New York, arising out of a savings account, Account Number 839920, entitled Antonia Grohmann, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on

account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8952; Filed, May 28, 1946;
10:44 a. m.]

[Vesting Order 6291]

AMAND HONEL

In re: Bank account owned by Amand Honel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Amand Honel, whose last known address is Nürnberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),
2. That the property described as follows: That certain debt or other obliga-

No. 106—4

tion owing to Amand Honel, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,360,458, entitled Amand Honel, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8953 Filed, May 23, 1946;
10:44 a. m.]

[Vesting Order 6232]

ENGELBERT HONEL

In re: Bank account owned by Engelbert Honel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Engelbert Honel, whose last known address is Altendorf No. 8, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Engelbert Honel, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,360,459, entitled Engelbert Honel, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8954; Filed, May 23, 1946;
10:44 a. m.]

[Vesting Order 6293]

JOSEFA HONEL

In re: Bank account owned by Josefa Honel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Josefa Honel, whose last known address is Nürnberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Josefa Honel, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,360,457, entitled Josefa Honel, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held; used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in sec-

tion 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8955; Filed, May 28, 1946;
10:44 a. m.]

[Vesting Order 6294]

JAPAN AUTOMOBILE CO.

In re: Debt owing to Japan Automobile Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Japan Automobile Co., the last known address of which is Tokyo, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Japan Automobile Co., by Dodge & Seymour, Ltd., 53 Park Place, New York 7, New York, in the amount of \$1211.17, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan),

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation

will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8956; Filed, May 28, 1946;
10:44 a. m.]

[Vesting Order 6296]

MINA BEAR FOHLMAN

In re: Bank account owned by Mina Bear Pohlman, also known as Minna Baer Pohlman and as Minna Bear Pohlman.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mina Bear Pohlman, also known as Minna Baer Pohlman and as Minna Bear Pohlman, whose last known address is Eisenbahn Strasse 66, Berlin-Halensee, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Mina Bear Pohlman, also known as Minna Baer Pohlman and as Minna Bear Pohlman, by The Farmers and Merchants National Bank of Los Angeles, Los Angeles, California, arising out of a blocked savings account, Account Number 427, entitled Minna Baer Pohlman, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany),

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8957; Filed, May 28, 1946;
10:45 a. m.]

[Vesting Order 6302]

HIDEO YAMANOUCHI

In re: Stocks owned by and debt owing to Hideo Yamanouchi, also known as H. Yamanouchi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hideo Yamanouchi, also known as H. Yamanouchi, whose last known address is Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. One hundred shares of no par value common capital stock of Radio Corporation of America, 60 Broad Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by Stock Certificate Number N 276853, dated February 14, 1935, and registered in the name of Hideo Yamanouchi, together with all declared and unpaid dividends thereon,

b. Four shares of no par value capital stock of Dallas Office and Club Building, Inc., Dallas, Texas, a corporation organized under the laws of the State

of Texas, evidenced by Trustees Certificate Number 293, dated December 29, 1934, and registered in the name of H. Yamanouchi, together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation owing to Hideo Yamanouchi, also known as H. Yamanouchi, by Radio Corporation of America, 60 Broad Street, New York, New York, in the amount of \$84.00, as of March 12, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-8958; Filed, May 23, 1946;
10:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SO 148, Order 8]

SOUND, INC.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 5 of Supplementary Order No. 148, it is ordered:

(a) *Manufacturer's ceiling prices.* Sound, Inc., 221 E. Cullerton Street, Chicago, Illinois may sell and deliver to that class of distributor to which it sells radios in the largest dollar volume the radio listed below, which are fully described in its application for a price adjustment, assigned OPA Docket No. 6059-SO 148-35C, at prices not in excess of those listed below.

Article	Model No.	Ceiling price
Sound Radio.....	CR2-C..... CR2-F.....	Each \$3.15 8.15

The above ceiling prices are exclusive of Federal Excise Tax. The ceiling prices to other classes of purchasers shall reflect the differentials which Sound, Inc., had in effect between July 15, 1941 and October 15, 1941.

(b) *Ceiling prices of purchasers for resale.* Sound, Inc., shall calculate reseller's ceiling prices for the radios subject to this order as is required by Maximum Price Regulation No. 599; except that it shall use its adjusted ceiling prices as established by this order instead of its ceiling prices as established by that regulation as the basis of calculating reseller's ceiling prices.

(c) *Relation of this order to Maximum Price Regulation No. 599.* Except as this order is inconsistent with the provisions of Maximum Price Regulation No. 599, all the provisions of that regulation shall continue to apply to all sales and deliveries of radios subject to this order.

(d) All requests contained in Sound, Incorporated's, application for a price adjustment, assigned OPA Docket No. 6069-SO 148-35C, not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of May 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8334; Filed, May 23, 1946;
11:35 a. m.]

[RMPR 111, Order 8]

KENT CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Revised Maximum Price Regulation No. 111, it is ordered:

(a) This order establishes ceiling prices for sales by distributors to dealers of the Model A-9 floor polisher and attachments manufactured by the Kent Company, Rome, N. Y., as follows:

Article	Quantity	Distributors ceiling prices to dealers
Floor polisher.....	1-5.....	\$50.30
Scrubbing brush attachment.....	6 or more.....	43.12
Outer polishing brush attachment.....		2.17
Inner polishing brush attachment.....		2.17
Lamb wool buffer attachment.....		1.63
		1.99

These ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this order for distributors' resales. This notice may be given in any convenient form.

(c) All the provisions of Revised Maximum Price Regulation No. 111 continue to apply to all sales and deliveries of the floor polishers and attachments covered by this order except to the extent that those provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in Revised Maximum Price Regulation No. 111 shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of May 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8965; Filed, May 28, 1946; 11:31 a. m.]

[MPR 120, Order 1673]

McGraw & Bindley and Robinson & Black

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular

reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

McGraw & Bindley, 1723 Oliver Bldg., Pittsburgh, Pa., Oak Ridge No. 2 Mine, C' Seam, Mine Index No. 1005, Cambria County, Pa., Subdistrict 17, Rail Shipping Point, Hastings, Pa., Strip Mine

	Size group Nos.				
	1	2	3	4	5
Price classification.....	E	E	1 E	E	E
Rail shipment.....	355	335	435	315	315
Railroad locomotive fuel.....	320	320	1305	295	295
Truck shipment.....	365	340	1340	330	320

¹ Previously established.

² Subject to the provisions of order No. 1548 under MPR 120 as amended.

Robinson & Black, Coalmont, Pa., Gordon Mine, Fulton Seam, Mine Index No. 5316, Huntington County, Pa., Subdistrict 39, Rail Shipping Point, Coalmont, Pa. Deep Mine.

Price classification.....	B	B	B	B	C
For all methods of transportation and all uses.....	460	460	425	400	335

Smithing coal (any size)..... 510

This order shall become effective May 29, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

A. C. Knight, Route No. 5, Zanesville, Ohio, Knight Mine, No. 6 Seam, Mine Index No. 4236, Muskingum County, Ohio, Subdistrict No. 6, for all methods of shipment, Deep Mine, Rail Shipping Point, Zanesville, Ohio

	Size group Nos.											
	1	2	3	3A	4	5	6	7	8	9	10	11
Rail shipments and railroad fuel.....	351	351	331	331	321	321	311	271	271	270	-----	270
Truck shipment.....	336	336	336	346	346	291	291	256	256	291	-----	291

The Manchester Coal Co., 203 Masonic Temple, Zanesville, Ohio, Manchester Coal Co. Mine, No. 8 Seam, Mine Index No. 4237, Morgan County, Ohio, Subdistrict No. 6, for all methods of shipment, Strip Mine, Rail Shipping Point, Malta, Ohio

Rail shipments and railroad fuel.....	325	325	295	295	295	295	235	215	215	250	210	250
Truck shipment.....	360	360	360	320	320	265	265	230	230	205	205

This order shall become effective May 29, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8967; Filed, May 28, 1946; 11:30 a. m.]

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8966; Filed, May 28, 1946; 11:30 a. m.]

[MPR 120, Order 1674]

A. C. Knight and Manchester Coal Co. ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in district No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

[RMPR 206, Order 4]

EVENS & HOWARD SEWER PIPE CO. ET AL. ESTABLISHMENT OF MAXIMUM PRICES

Order No. 4 under § 3.1 (b) (2) of Revised Maximum Price Regulation No. 206. Vitrified clay sewer pipe and allied products. Evens & Howard Sewer Pipe Company, Blackmer & Post Pipe Company, Laclede Christy Clay Products Company. Docket No. 6122-506.3.1 (b) (2)-5.

The reasons set forth in an opinion issued simultaneously herewith and pursuant to § 3.1 (b) (2) of Revised Maximum Price Regulation 20C and section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum prices for sales by the Laclede Christy Clay Products Company, Blackmer & Post Pipe Company and Evens & Howard Sewer Pipe Company, all of St. Louis, Missouri, of vitrified clay sewer pipe and allied products, to their various classes of purchasers may be increased by an amount not in excess of 14 percent.

(b) The maximum prices established herein shall be subject to cash, quantity and other discounts and allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(c) Any person purchasing any of the products covered by this order produced by the Laclede Christy Clay Products Company, Blackmer & Post Pipe Company, and Evens & Howard Sewer Pipe Company, all of St. Louis, Missouri for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturers in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 4 shall become effective May 29, 1946.

Issued this 28th day of May, 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8968; Filed, May 28, 1946;
11:31 a. m.]

[MPR 591, Order 542]

SISLEY SYSTEM PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices for sales by any person to consumers of the following hose nozzle manufactured by Sisley System Products of Toledo, Ohio, and as described in its application dated March 1, 1946, shall be:

Per dozen
"Modern" hose nozzle 3 1/4" diameter
1 1/4" brass..... \$11.90

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 33 1/3 percent.

(c) On sales to jobbers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less successive discounts of 50 and 5 percent.

(d) In addition to the discounts provided for in (b) and (c) above the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) Sisley System Products shall tag each hose nozzle covered by this order, substantially the following:

OPA Maximum Retail Price \$11.20

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8972; Filed, May 23, 1946;
11:32 a. m.]

[MPR 591, Order 543]

DAVIS MILLWORK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices for sales by any person to consumers of the following kitchen cabinet sink units manufactured by Davis Millwork Company, Forty Fort, Pennsylvania, and as described in its application dated February 21, 1946, shall be:

KITCHEN CABINET SINK UNIT WITH FITTINGS,
ENAMELED STEEL BOWL, LINOLEUM TOP, 4"
FLASH BOARD, WOOD VENEERED FLUSH DOOR
FRONT, MASONITE BACK BOARD

Model	Size	Doors	Draw- ers	Price
D 42.....	42" x 36" x 21".....	3	1	\$100.00
D 54.....	54" x 36" x 21".....	4	2	131.00
D 66.....	66" x 36" x 21".....	4	2	152.00

BASE CABINET WOOD, NO TOPS

D 42.....	42" x 36" x 21".....	3	1	\$54.00
D 54.....	54" x 36" x 21".....	4	2	62.50
D 66.....	66" x 36" x 21".....	4	2	73.00

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point

of shipment, shall be the net prices specified in (a) above less a discount of 40 percent.

(c) On sales to jobbers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less successive discounts of 40 and 20 percent.

(d) In addition to the discounts provided for in (b) and (c) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities within the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodities covered in this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) The Davis Millwork Company shall stencil in a conspicuous place on each kitchen sink cabinet unit covered by this order, substantially the following:

OPA Maximum Retail Price Uninstalled \$.....

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8973; Filed, May 23, 1946;
11:32 a. m.]

[MPR 591, Order 544]

AMERICAN RADIATOR AND STANDARD SANITARY CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum list prices, f. o. b. point of shipment, for sales by any person to plumbing and heating contractors, installers, commercial and industrial users of the following brass plumbing fixture supply fittings and trimmings, manufactured by American Radiator and Standard Sanitary Corporation of Pittsburgh, Pennsylvania, and as described in its applications which are filed with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

B-196—Chromard finish shower.....	*\$14.35
B-197—Chromard finish shower.....	*19.50
B-198—Chromard finish shower.....	*20.10
B-914—Service sink faucet.....	*5.35
B-915—Service sink faucet.....	*7.10
B-251—Industrial shower.....	*6.60
B-253—Industrial shower.....	*6.60
B-908—Chormard sink faucet with spray.....	-7.22
B-935—Double laundry tray faucet.....	3.99

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum list prices specified in (a) above less successive discounts of 25 and 5 percent on asterisk items and 20 and 5 percent on non-asterisk items.

(c) The maximum prices established by this order shall be subject to such cash discounts, transportation allowances, and price differentials at least as favorable as those which you extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of its purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591, to date, and may not be further increased pursuant to the provisions of that order as are in effect as of the date of this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8974; Filed, May 28, 1946;
11:32 a. m.]

[MPR 591, Order 545]

KEALAND PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) The maximum net prices for sales by any person to consumers of the following sprinklers manufactured by Kealand Products Company of Pasadena, California, and as described in its application dated March 26, 1946, shall be:

PASADENA SPRINKLER

No. 29.....	\$11.90
No. 30.....	10.58
No. 30½.....	12.20
No. 32.....	14.52
No. 35.....	13.50
No. 37.....	12.08
No. 40.....	18.50
No. 40.....	11.00
No. 52.....	13.92
No. 88.....	10.44
No. 10P.....	1.50
No. 100.....	.30
No. 77-6.....	30.00
No. 77-12.....	31.74
No. 77-18.....	33.94
No. 77-24.....	37.10
No. 77-30.....	39.98
No. 77-36.....	43.46

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 33½ percent.

(c) On sales to jobbers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 50 percent.

(d) On sales to industrial corporations by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 20 percent.

(e) In addition to the discounts provided for in (b) (c) and (d) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities within the same general category during March 1942.

(f) The maximum price on an installed basis of the commodities covered in this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(g) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(h) Kealand Products Company of Pasadena, California, shall tag each item covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8975; Filed, May 28, 1946;
11:33 a. m.]

[MPR 591, Order 546]

HECTOR S. PORFIROS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered.

(a) The maximum net prices, f. o. b. point of manufacture for sales by Hector S. Porfiros of the following Kitchen-Aide Water Temperature Control manufactured by him and as described in the application dated April 10, 1946, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

KITCHEN-AIDE WATER TEMPERATURE CONTROL

	On sales to—		
	Jobbers	Dealers	Consumers
In quantities of less than 5,000 units.....	\$0.80	\$1.20	\$2.00
In quantities of 5,001 units and over.....	.75	1.10	1.00

(b) The maximum net prices f. o. b. point of manufacture for sales by any person other than the manufacturer of the following kitchen-aide water temperature control manufactured by Hector S. Porfiros shall be:

	On sales to—		
	Jobbers	Dealers	Consumers
Kitchen-aide water temperature control.....	\$0.80	\$1.20	\$2.00

(c) The maximum net prices established by this order shall be subject to cash discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8976; Filed, May 28, 1946;
11:33 a. m.]

[MPR 591, Order 548]

WESTINGHOUSE ELECTRIC CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

and pursuant to section 13 of Maximum Price Regulation No. 591, It is ordered:

(a) The maximum net delivered prices, excluding federal excise taxes, for sales to consumers by any person of the electric water heaters manufactured by the Westinghouse Electric Corporation of Mansfield, Ohio, shall be:

Model No.	
4610-SG1—10 gallon, electric water heater, single element.....	\$54.37
4630-LG1—30 gallon, electric water heater, single element.....	69.83
4630-SG1—30 gallon, electric water heater, single element.....	80.16
4630-SG2—30 gallon, electric water heater, double element.....	84.80
4640-SG1—40 gallon, electric water heater, single element.....	87.32
4640-SG2—40 gallon, electric water heater, double element.....	92.03
4652-SG12—52 gallon, electric water heater, single element.....	93.79
4652-SG15—52 gallon, electric water heater, single element.....	93.79
4652-SG2—52 gallon, electric water heater, double element.....	93.79
4680-SG12—80 gallon, electric water heater, single element.....	126.23
4680-SG15—80 gallon, electric water heater, single element.....	126.23
4680-SG2—80 gallon, electric water heater, double element.....	134.30
4630-TG1—60 gallon, electric water heater, single element.....	83.25

(b) The maximum net prices, excluding federal excise taxes for sales to the following classes of dealers by any person of the following electric water heaters manufactured by the Westinghouse Electric Corporation of Mansfield, Ohio, shall be:

Model No.	On sales to—		
	Plumbing dealers and electrical contractors	Electrical appliance dealers	Utilities and exclusive dealers
4610-SG1.....	\$32.68	\$34.59	\$36.67
4630-LG1.....	40.20	42.30	45.10
4630-SG1.....	48.20	50.72	54.03
4630-SG2.....	51.24	53.91	57.48
4640-SG1.....	52.55	55.30	58.97
4640-SG2.....	55.53	58.48	62.35
4652-SG 12.....	56.46	59.40	63.33
4652-SG 15.....	56.46	59.40	63.33
4652-SG2.....	59.31	62.40	65.53
4680-SG 12.....	76.32	80.13	85.43
4680-SG 15.....	76.32	80.13	85.43
4680-SG2.....	81.02	85.25	90.89
4630-TG1.....	59.10	52.71	55.20

(c) The maximum net prices set forth in (b) above are f. o. b. point of shipment. When, however, shipment is made directly to the dealer by the Westinghouse Electric Corporation, the maximum net prices set forth in (b) above are f. o. b. dealer's city.

(d) The maximum net delivered prices, excluding federal excise taxes, for sales to distributors in carload quantities by any person of the following electric water heaters manufactured by the Westinghouse Electric Corporation, shall be:

Model No.	
4610-SG1.....	\$27.76
4630-LG1.....	34.79
4630-SG1.....	41.47
4630-SG2.....	43.97
4640-SG1.....	45.57
4640-SG2.....	48.09
4652-SG 12.....	48.95
4652-SG 15.....	48.95
4652-SG2.....	51.45
4680-SG 12.....	66.32
4680-SG 15.....	63.32
4680-SG2.....	70.32
4630-TG1.....	43.19

(e) The maximum net delivered prices, excluding federal excise taxes, for sales to distributors in less than car-

load quantities by any person of the electric water heaters covered by this order shall be the maximum net billing price, i. e., maximum prices established under this order plus federal excise tax, on sales to distributors in carload quantities plus 3 percent.

(f) The maximum prices for sales of the commodities covered by this order on an installed basis shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(g) Each seller, except on sales to consumers, shall notify, in writing, each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for sales to such purchasers, as well as the purchaser's, except dealers, maximum prices upon resale.

(h) The Westinghouse Electric Corporation shall attach to each of the electric water heaters covered by this order a tag containing the following:

(1) The model number of the electric water heater.

(2) The OPA retail maximum price including federal excise tax.

(3) A statement that the maximum price shown includes the federal excise tax actually paid, delivery and one year warranty.

(j) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-5978; Filed, May 23, 1946;
11:34 a. m.]

[MPR 591, Order 547]

CUSTOM-BILT, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register

and pursuant to section 9 of Maximum Price Regulation No. 591, It is ordered.

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following frozen food cabinets manufactured by Custom-Bilt Inc. of Mendota, Illinois, and as described in the application dated April 2, 1946 which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distrib- utors	Deal- ers	Con- sumers
19-A—15 cu. ft. $\frac{1}{4}$ hp. com- dencing unit.....	\$315.00	\$273.00	\$265.00
22-A—23 cu. ft. $\frac{1}{4}$ hp. com- dencing unit.....	313.00	441.00	732.00
23-A—29 cu. ft. $\frac{1}{4}$ hp. com- dencing unit.....	313.00	477.00	732.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of items in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers including allowable transportation and crating charges.

(f) Custom Bilt Inc. shall stencil on the Frozen Food Cabinets covered by this order, substantially the following:

OPA Maximum Retail Price \$.....

Plus freight and crating as provided in Order No. 547 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-5377; Filed, May 23, 1946;
11:34 a. m.]

[MPR 580, Amdt. 1 to Order 75]

MAIDEN FORM BRASSIERE CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 1 to Order 75. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-672.

For the reasons set forth in the opinion issued simultaneously herewith, Order 75 issued under Section 13 of Maximum Price Regulation 580 on application of Maiden Form Brassiere Co., Inc., 154 Avenue E, Bayonne, New Jersey, is amended in the following respects:

1. Paragraph (c) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is preticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so preticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

2. Paragraph (d) is amended by adding thereto the following sentence: "The seller shall also send the purchaser a copy of each amendment at the time of or before the first delivery (subsequent to the effective date of the amendment) of any article the sale of which is affected in any manner by the amendment."

3. A new paragraph (g) is added which reads as follows:

(g) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

This amendment shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9001; Filed, May 28, 1946;
4:08 p. m.]

[Rev. SO 119, Order 231]

H. H. ROBERTSON CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 231 under Revised Supplementary Order 119. Docket No. 6123-SO 119-120.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Section 13 of Revised

Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for the H. H. Robertson Company, Ambridge, Pennsylvania.* (1) The above manufacturer may determine his maximum prices for his line of streamline ventilators by increasing by 13.6 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The Maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March, 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect;

Order No. 231 under Revised Supplementary Order No. 119 authorizes a 13.6 percent increase in October 1, 1941 net prices for sales of streamline ventilators manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 231.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9017; Filed, May 28, 1946;
4:04 p. m.]

[MPR 580, Amdt. 2 to Order 140]

MONUMENT MILLS

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 2 to Order 140. Establish-

ing ceiling prices at retail for certain articles; Docket No. 6063-580-13-661.

For the reasons set forth in the opinion issued simultaneously herewith, Order 140 issued under section 13 of Maximum Price Regulation 580 on application of Monument Mills, Housatonic, Massachusetts is amended in the following respects:

1. Paragraph (a) is amended to increase the retail ceiling prices established by the order for the articles listed and described below:

BEDSPREADS			
Style name	Size	Manufacturer's unadjusted selling price	Retail ceiling price
May Day.....	Twin.....	\$3.38	\$4.08
	Double.....	3.38	4.08
Window Pane....	Twin.....	3.74	5.08
	Double.....	3.74	5.08
Irene.....	Twin.....	5.00	6.40
	Double.....	5.00	6.40
Starlight.....	Twin.....	5.40	7.40
	Double.....	5.40	7.40
Hopscotch.....	Twin.....	5.48	7.40
	Double.....	5.48	7.40
Milky Way.....	Twin.....	6.20	8.40
	Double.....	6.00	7.40
Diagonal.....	Twin.....	6.05	7.40
	Double.....	5.85	8.40

2. Paragraph (a) is further amended by deleting the footnote thereto (indicated by asterisk)

3. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is preticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so preticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

4. A new paragraph (h) is added to read as follows:

(h) In connection with each delivery under this order, the manufacturer shall state on his invoice, or on an attachment thereto, his "unadjusted price" for each article. "Unadjusted price" means the manufacturer's ceiling price prior to any adjustments under Supplementary Order 131 plus the amount by which such adjustments exceed 20% of that ceiling price.

This amendment shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9003; Filed, May 28, 1946;
4:08 p. m.]

[MPR 592, Order 36]

CONCO-MEIER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 36 under section 16 of Maximum Price Regulation No. 592. Conco-Meier Company. Docket No. 6122-592.16-203.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Conco-Meier Company, Tonica, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.00 per thousand for standard size brick equivalents or by an amount not in excess of \$0.80 per ton for structural hollow tile.

(b) If the Conco-Meier Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Conco-Meier Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 36 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9004; Filed, May 28, 1946;
4:05 p. m.]

[MPR 592, Order 37]

SPRINGFIELD CLAY PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 37 under section 16 of Maximum Price Regulation No. 592. Springfield Clay Products Company. Docket No. 6122-592.16-236.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Springfield Clay Products Company, Springfield, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.50 per thousand for standard size brick equivalents or by an amount not

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in excess of \$1.00 per ton for structural hollow tile.

(b) If the Springfield Clay Products Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Springfield Clay Products Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 37 shall become effective May 28 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9005; Filed, May 28, 1946;
4:06 p. m.]

[MPR 592, Order 38]

ALTON BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 38 under section 16 of Maximum Price Regulation No. 592. Alton Brick Company. Docket No. 6122-592.16-233.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Alton Brick Company, Alton, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.00 per thousand for standard size brick equivalents or by an amount not in excess of \$0.80 per ton for structural hollow tile.

(b) If the Alton Brick Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Alton Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents

increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This Order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 38 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9006; Filed, May 28, 1946;
4:06 p. m.]

[MPR 592, Order 40]

HILL BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 40 under section 16 of Maximum Price Regulation No. 592. Hill Brick Company. Docket No. 6122-592.16-211.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592; *It is ordered:*

(a) The maximum net prices for sales by the Hill Brick Company, East St. Louis, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.25 per thousand for standard size brick equivalents or by an amount not in excess of \$0.90 per ton for structural hollow tile.

(b) If the Hill Brick Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Hill Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 40 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9003; Filed, May 23, 1946;
4:04 p. m.]

[MPR 592, Order 39]

POSTON BRICK & CONCRETE PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 39 under section 16 of Maximum Price Regulation No. 592. Poston Brick & Concrete Products Company. Docket No. 6122-592.16-200.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Poston Brick & Concrete Products Company, Springfield, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$1.75 per thousand for standard size brick equivalents or by an amount not in excess of \$0.70 per ton for structural hollow tile.

(b) If the Poston Brick & Concrete Products Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this Order produced by the Poston Brick & Concrete Products Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 39 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9007; Filed, May 28, 1946;
4:06 p. m.]

[MPR 592, Order 41]

EASTERN ILLINOIS CLAY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 41 under Section 16 of Maximum Price Regulation No. 592. Eastern Illinois Clay Company. Docket No. 6122-592.16-212.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Eastern Illinois Clay Company, St. Anne, Illinois, of clay building brick and structural clay tile to its various

classes of purchasers may be increased by an amount not in excess of \$0.25 per thousand for standard size brick equivalents or by an amount not in excess of \$0.10 per ton for structural hollow tile.

(b) If the Eastern Illinois Clay Company had an established differential in price during the month of March 1942 for non standard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Eastern Illinois Clay Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 41 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9009; Filed, May 28, 1946;
4:07 p. m.]

[MPR 592, Order 42]

ST. ANNE BRICK & TILE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 42 under section 16 of Maximum Price Regulation No. 592. St. Anne Brick & Tile Company. Docket No. 6122-592.16-215.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the St. Anne Brick & Tile Company, St. Anne, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.00 per thousand for standard size brick equivalents or by an amount not in excess of \$0.80 per ton for structural hollow tile.

(b) If the St. Anne Brick & Tile Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced

by the St. Anne Brick & Tile Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 42 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9010; Filed, May 28, 1946;
4:07 p. m.]

[MPR 592, Order 43]

PEORIA BRICK & TILE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 43 under section 16 of Maximum Price Regulation No. 592. Peoria Brick & Tile Company. Docket No. 6122-592.16-216.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Peoria Brick & Tile Company, Peoria, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.00 per thousand for standard size brick equivalents or by an amount not in excess of \$0.80 per ton for structural hollow tile.

(b) If the Peoria Brick & Tile Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Peoria Brick & Tile Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 43 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9011; Filed, May 28, 1946;
4:07 p. m.]

[MPR 592, Order 44]

SHEFFIELD SHALE PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 44 under section 16 of Maximum Price Regulation No. 592. Sheffield Shale Products Company. Docket No. 6122-592.16-213.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Sheffield Shale Products Company, Sheffield, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.75 per thousand for standard size brick equivalents or by an amount not in excess of \$1.10 per ton for structural hollow tile.

(b) If the Sheffield Shale Products Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Sheffield Shale Products Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 44 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9012; Filed, May 28, 1946;
4:07 p. m.]

[MPR 592, Order 45]

RICHARDS BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 45 under section 16 of Maximum Price Regulation No. 592. Rich-

ards Brick Company. Docket No. 6122-592.16-237.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Richards Brick Company, Edwardsville, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.00 per thousand for standard size brick equivalents or by an amount not in excess of \$0.80 per ton for structural hollow tile.

(b) If the Richards Brick Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Richards Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 45 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9013; Filed, May 23, 1946;
4:03 p. m.]

[MPR 592, Order 46]

WESTERN BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 46 under section 16 of Maximum Price Regulation No. 592. Western Brick Company. Docket No. 6122-592.16-210.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592, *It is ordered:*

(a) The maximum net prices for sales by the Western Brick Company, Danville, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$2.00 per thousand for standard size brick equivalents or by an amount not in excess of \$0.80 per ton for structural hollow tile.

(b) If the Western Brick Company had an established differential in price during the month of March 1942 for non-

standard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Western Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 46 shall become effective May 28, 1946.

Issued this 28th day of May, 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9014; Filed, May 23, 1946;
4:03 p. m.]

[MPR 592, Order 47]

PURINGTON PAVING BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 47 under section 16 of Maximum Price Regulation No. 592. Purington Paving Brick Company. Docket No. 6122-592.16-201.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592; *It is ordered:*

(a) The maximum net prices for sales by the Purington Paving Brick Company, Galesburg, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$1.50 per thousand for standard size brick equivalents or by an amount not in excess of \$0.60 per ton for structural hollow tile.

(b) If the Purington Paving Brick Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Purington Paving Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this para-

graph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 47 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9015; Filed, May 28, 1946;
4:05 p. m.]

[MPR 592, Order 48]

JACKSON COUNTY BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 48 under section 16 of Maximum Price Regulation No. 592. Jackson County Brick Company. (Docket No. 6122-592.16-214.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered:*

(a) The maximum net prices for sales by the Jackson County Brick Company, Campbell Hill, Illinois, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$4.25 per thousand for standard size brick equivalents or by an amount not in excess of \$1.70 per ton for structural hollow tile.

(b) If the Jackson County Brick Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustments granted herein for standard size brick on the basis of conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Jackson County Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 48 shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9016; Filed, May 28, 1946;
4:04 p. m.]

[RMFR 136, Amdt. 1 to Order 624]

INTEGRAL AND FRACTIONAL HORSEPOWER MOTORS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 31 of Revised Maximum Price Regulation 136, *It is ordered:*

Order No. 624 under Revised Maximum Price Regulation 136 is revised and amended in the following respects:

1. In the last sentence of paragraph (a), immediately following the words "the term does not include", insert the words "gear motors"

2. In the last sentence of paragraph (b) immediately following the words "the term does not include" insert the words "gear motors"

3. In paragraph (f) delete the parenthetical phrase "(including speed reducers)" and substitute therefor the parenthetical phrase "(excluding gear motors and variable speed drives)"

This amendment shall become effective May 27, 1946.

Issued this 27th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8928; Filed, May 27, 1946;
4:37 p. m.]

[RMFR 136, Order 637]

GEARS, PINIONS, SPROCKETS AND SPEED REDUCERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 31 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) As used in this order, the word "gears" means gears, pinions, sprockets and speed reducers, including gear motors and motorized speed reducers, but not including variable speed drives, automotive or tractor transmissions, transfer cases, power take-offs, differential or axle assemblies and not including any item designed primarily for use in private or commercial motor vehicles.

(b) As used in this order, the phrase "base prices" shall mean the maximum prices established under section 7 of Revised Maximum Price Regulation 136, or computed under sections 8, 9 or 10 of Revised Maximum Price Regulation 136 before the addition of any increase provided to an individual manufacturer by way of individual adjustment under the provisions of Revised Maximum Price Regulation 136 or Supplementary Order No. 142.

(c) *Manufacturers maximum prices.*

(1) Except as provided in paragraph (c) (2) below, the maximum prices for sales by a manufacturer of any gears shall be (i) For any gears, except gear motors, the base prices increased by 13.0%; (ii) For any gear motors, at the election of the manufacturer, either (a) the base prices increased by 13.0%, or (b) the base

prices increased by the appropriate percentage increase factor to be determined from the table following. To determine the appropriate percentage increase factor: first ascertain the percentage the sales price of a standard motor of the same rating and capacity as the particular motor manufactured bears to the total sales price of the gear motor; this percentage fixes the appropriate line in column number 1 in the table; on the line thus fixed, the manufacturer will find in column 2 entitled "Fractional Horsepower Gear Motors" the appropriate percentage increase factor to be applied to base prices in the case of fractional horsepower gear motors, and in column number 3 entitled "Integral Gear Motors" the appropriate percentage increase factor to be applied to base prices in the case of integral gear motors.

Column 1	Column 2	Column 3
Percentage that the sales price of a standard motor of the same rating and capacity as the particular motor manufactured bears to the total sales price of the gear motor	Fractional horsepower gear motors (percentage increase)	Integral gear motors (percentage increase)
0 to 19.9.....	13	13
20 to 29.9.....	17	14
30 to 39.9.....	21	15
40 to 49.9.....	24	16
50 to 59.9.....	27	16.5
60 to 69.9.....		
70 to 79.9.....		
80 to 100.....		

(2) If the manufacturer's base prices for any gears, including gear motors, are approved by the OPA as "in-line" prices under section 9 (c) of Revised Maximum Price Regulation 136 subsequent to May 27, 1946, the maximum prices shall be the prices so approved.

(d) *Resellers' maximum prices.* The maximum prices for sales of any gears by a reseller shall be the maximum prices in effect just prior to the issuance of this order increased by the dollars-and-cents amount by which his net invoiced cost has been increased by reason of the issuance of this order.

(e) *Discounts, allowances, etc.* All prices established under paragraphs (c) and (d) of this order shall be subject to the same discounts, deductions and other allowances in effect to any purchasers and classes of purchasers just prior to the issuance of this order.

(f) Every manufacturer of gears shall give written notice to his resellers of the dollars-and-cents amount by which this order permits the reseller to increase his maximum prices.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 27, 1946.

Issued this 27th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8929; Filed, May 27, 1946;
4:36 p. m.]

[RMFR 528, Order 113]

GENERAL TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and

filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following new sizes of Industrial tires manufactured by The General Tire & Rubber Company, Akron, Ohio, shall be:

AIR CORPS STANDARD SPECIFICATION

Size	Ply	Tread	Maximum retail price
8 x 3.00-4	2	Silent grip	Each \$3.54
12 x 4.00-6	2	do	5.10
18 x 5.50-8	2	do	8.46
18 x 5.50-8	4	do	10.59

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 31, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9064; Filed, May 23, 1946; 11:32 a. m.]

[RMPR 528, Order 114]

FIRESTONE TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for the following sizes of new synthetic rubber stop-start tires manufactured by The Firestone Tire & Rubber Company of Akron, Ohio, shall be:

CITY COMMERCIAL TYPE TIRES

Size	Replaces size	Ply rating	Maximum retail price	
			Cotton	Rayon
CCD 10	6.00-16	6	Each \$23.10	Each \$24.25
CCD 11	5.25-17, 5.50-17	6	22.65	23.15
CCD 13	6.50-16	6	23.60	27.95
CC 14	6.00-20	6	22.75	31.25
CCD 15	7.00-16	6	31.80	33.40
CCD 15	7.00-16	8	34.95	37.70
CC 17	6.00-20, 6.50-20 (6)	8	36.40	38.20
CCD 18	7.50-16	8	43.85	45.05
GC 19	6.50-20, 7.00-20	8	47.55	49.05
CC 22	7.00-20, 7.50-20 (8)	10	61.80	64.00
CC 28	7.50-20, 8.25-20	10	70.05	74.50
CC 34	8.25-20 (12), 9.00-20 (10)	10	84.70	88.05
CC 40	9.00-20, 9.75-20, 10.00-20	12	107.85	112.70
CC 42	9.75-22, 10.00-22	12	113.10	118.75
CC 48	10.50-20, 11.00-20	12	124.25	132.25
CC 50	10.50-22, 11.00-22	12	133.75	140.25

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 31, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9065; Filed, May 29, 1946; 11:33 a. m.]

[RMPR 528, Order 115]

LEE TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes of off-the-road Logger tires, manufactured by Lee Tire and Rubber Co. of New York, Inc., Conshohocken, Pennsylvania, shall be:

LOGGER TYPE TIRES

Size	Ply	Maximum retail price	
		Cotton	Rayon
8.25-20	10	Each \$72.00	Each \$73.15
8.25-20	12	83.20	87.35
9.00-20	10	83.25	89.75
9.00-20	12	100.00	103.05
10.00-20	12	109.00	113.10
10.00-20	14	125.70	132.00
11.00-20	12	129.15	133.00
11.00-20	14	154.00	162.05

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 31, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9066; Filed, May 23, 1946; 11:29 a. m.]

[MPR 530, Amdt. 2 to Order 170]

KAYLON, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 530, Amendment 2 to Order 170. Establishing ceiling prices at retail for certain articles; Docket No. 6063-530-13-652.

For the reasons set forth in the opinion issued simultaneously herewith, Order 170 issued under section 13 of Maximum Price Regulation 530 on application of Kaylon, Incorporated, 180 Madison Avenue, New York 16, New York is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

WOMEN'S PAJAMAS

Manufacturer's ceiling price (per dozen):	Ceiling price at retail (per unit)
\$31.00 to \$32.50	\$3.00
\$37.00	3.50
\$39.00 to \$41.50	4.00
\$44.50 to \$36.00	5.00
\$42.00 to \$45.00	6.00

2. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is preticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so preticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

3. Paragraph (e) is amended by adding thereto the following sentence: "The seller shall also send the purchaser a copy of each amendment at the time of or before the first delivery (subsequent to the effective date of the amendment) of any article the sale of which is affected in any manner by the amendment."

This amendment shall become effective May 31, 1946.

Issued this 29th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9067; Filed, May 23, 1946; 11:29 a. m.]

[MPR 530, Amdt. 2 to Order 107]

MORAN SHOE CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 530, Amendment 2 to Order 107. Establishing

ceiling prices at retail for certain articles; Docket No. 6063-580-13-640.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 107 issued under section 13 of Maximum Price Regulation 580 on application of the Moran Shoe Company, Carlyle, Illinois is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

WEE WALKER BRAND, INFANT WALKING SHOES—SIZES 2/8

Style No.	Pattern	Article	Manufacturer's unadjusted selling price	Retail ceiling price
1000	Rhoda	Elk Blu High:		
1001	do	White		
1002	do	Brown	\$0.98	\$1.59
1003	do	Patent	.98	1.59
	do	Black	.98	1.59
1050	Shirley	Elk Blu Oxford:		
1051	do	White	.93	1.59
1052	do	Brown	.93	1.59
	do	Patent	.93	1.59
2000	Rhoda "F"	F. G. Elk Blu High:		
2000C	do	White	1.34	2.29
2000F	do	do	1.34	2.29
2001	Shirley "F"	Brown	1.34	2.29
	do	F. G. Elk Blu Oxford:	1.34	2.29
2050	do	White	1.25	2.29
2051	do	Brown	1.25	2.29

3. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is preticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so preticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provision of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective May 28, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9002; Filed, May 28, 1946;
4:03 p. m.]

[SO 119, Order 232]

PUBCO CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 232 under Revised Supplementary Order No. 119. Adjustment of maximum prices for plumbing fixtures, supply fittings and trimmings manufactured by Pubco Corporation, Huntington

WEE WALKER BRAND, INFANT STEP SHOES—SIZES 1/6

Style No.	Pattern	Article	Manufacturer's unadjusted selling price	Retail ceiling price
3000	Helen "B"	White Elk-Blu High.	\$0.72	\$1.29

2. Paragraph (a) is amended to increase the retail ceiling prices established by the order for the articles listed below:

(c) Notification to all purchasers. The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 232 under Revised Supplementary Order No. 119 authorizes a 17.8 percent increase in October 1, 1941 net prices for sales of plumbing fixtures, supply fittings and trimmings manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 232.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This Order No. 232 shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8970; Filed, May 28, 1946;
11:34 a. m.]

[SO 119, Order 233]

SAVAGE ARMS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 233 under Revised Supplementary Order No. 119. Individual adjustments for reconverting manufacturers. Adjustments in maximum prices for commercial ice cream cabinets manufactured by Savage Arms Corporation, Utica, New York. Docket No. 6123-SO 119-62.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) Maximum prices for Savage Arms Corporation, Utica, New York. (1) The above manufacturer may determine his maximum prices for his line of commercial ice cream cabinets by increasing by 18.0 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increases provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the

Park, California. Docket No. 6123-SO 119-66.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) Maximum prices for Pubco Corporation, Huntington Park, California. (1) The above manufacturer may determine his maximum prices for his line of plumbing fixtures, supply fittings and trimmings by increasing by 17.8 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts, and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have been extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) Resellers' maximum prices. All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 233 under Revised Supplementary Order No. 119 authorizes an 18.0 percent increase in October 1, 1941, net prices for sales of commercial ice cream cabinets manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 233.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This Order No. 233 shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8980; Filed, May 28, 1946;
11:34 a. m.]

[SO 133, Amdt. 2 to Order 17]

LINCOLN INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, *it is ordered.* Order No. 17 (as amended) under Supplementary Order No. 133 is amended in the following respects:

1. Paragraph (b) is amended to read as follows:

(b) *Maximum prices of purchasers for resale.* A reseller shall calculate his ceiling prices by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade

practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

2. A new sentence is added to paragraph (c) to read as follows: "The provisions of Supplementary Order No. 153 shall not apply to sales covered by this order."

This amendment shall become effective on the 29th day of May 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8981; Filed, May 28, 1946;
11:35 a. m.]

[SO 142, Order 117]

HERCULES MOTORS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 117 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Hercules Motors Corporation. Docket No. 6083-SO 142-136-152.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142, *it is ordered:*

(a) The maximum prices for sales by Hercules Motors Corporation, Canton, Ohio of all its products, which are covered by any of the regulations listed in Supplementary Order No. 142, shall be determined as follows: The maximum prices for any of the above described products, having a base date price, shall be the applicable base date price increased by 16.6% of that price.

The phrase in this order "base date price" shall mean a price frozen under the applicable regulation (by reference to published list prices, and to sales made during a defined period of time prior to a base date) except that for every product covered by this order the base date to be used for establishing a frozen price shall be October 1, 1941. The phrase does not include any price adjusted upward by industry-wide or individual adjustment orders.

(b) For any product for which a price is established under section 8 of Revised Maximum Price Regulation 136; 4 (d)

(1) (i) of Maximum Price Regulation

67; § 1361.53 of Maximum Price Regulation 246; or § 1390.205 (d) of Maximum Price Regulation 351, the maximum price shall be computed under the appropriate provisions of the applicable regulation using the price computed under paragraph (a) of this order for the frozen priced product before change or modification.

(c) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the percentage amount by which his net invoiced cost has been increased by reason of this order.

(d) The Hercules Motors Corporation shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(e) The maximum prices for any sales and/or deliveries made by the Hercules Motors Corporation and any of its resellers under the provisions of Order L-192, issued March 29, 1946, shall remain in effect under the provisions of this order.

(f) Order L-192 issued March 29, 1946, under Supplementary Order No. 142, is hereby revoked.

(g) All requests not granted herein are denied.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective immediately.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8332; Filed, May 23, 1946;
11:35 a. m.]

[SO 142, Order 118]

GENERAL ELECTRIC CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 118 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. General Electric Company. Docket No. 6083-SO 142-136-627.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142, *it is ordered:*

(a) The maximum prices for sales by General Electric Company, Bridgeport, Connecticut, of conduit boxes and covers shall be determined by increasing by 22.3% the maximum prices in effect for these products just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the same percentage by which his net invoiced cost

has been increased by reason of this order.

(c) The General Electric Company, Bridgeport, Connecticut, shall notify each purchaser who buys the products listed in paragraph (a) above for resale of the percentage amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1946.

Issued this 28th day of May 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-8983; Filed, May 28, 1946;
11:35 a. m.]

Regional and District Office Orders.

[Region VII Order G-3 Under SR 15]

FLUID MILK IN NATIONAL PARKS IN SOUTHERN UTAH AND NORTHERN ARIZONA

Denver Regional Office, Region VII, Order No. G-3 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for specified fluid milk items sold at wholesale to and sold at retail by concessionaires in certain national parks in Southern Utah and Northern Arizona. Docket No. 7-SR 15-75 (a) (9)-26.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G-3 is issued.

(a) *What this order does.* This order establishes seasonal maximum prices for specified Grade A milk items sold at wholesale to concessionaires and sold at retail by concessionaires in certain national parks in southern Utah and that part of the State of Arizona lying north of the Colorado River.

(b) *Geographical applicability.* This Order No. G-3 shall apply only to Cedar City, Utah, and the following United States National Parks located in southern Utah and northern Arizona, namely, Bryce Canyon National Park, Cedar Breaks National Park, Zion Canyon National Park, and that part of Grand Canyon National Park lying north of the Colorado River.

(c) *Maximum prices.* Notwithstanding the terms and provisions of any other

price regulation or order, the maximum prices for the Grade A fluid milk items hereinafter specified, when sold in glass bottles or paper containers for human consumption, except sales covered by Restaurant Maximum Price Regulation No. 2, as amended, when made at wholesale to concessionaires and when made at retail by concessionaires at any place within the geographical areas described in paragraph (b) hereof, shall be as follows:

(1) Grade A fluid milk items sold at wholesale to concessionaires, f. o. b. Cedar City, Utah:

	Size of glass or paper container	
	½ pint	Quart
	Cents	Cents
Grade A milk.....	4½	12½
Grade A half and half.....	4½	34
Grade A chocolate milk.....	4½	12½
Grade A buttermilk.....	4	11½

(2) Grade A fluid milk items sold at wholesale to concessionaires and delivered at the buyer's place of business in any one or more of the national parks named in paragraph (b) hereof:

	Size of glass or paper container	
	½ pint	Quart
	Cents	Cents
Grade A milk.....	4½	13
Grade A half and half.....	4½	34½
Grade A chocolate milk.....	4½	13
Grade A buttermilk.....	4	11¾

(3) Grade A fluid milk items sold at retail by concessionaires in the national parks named in paragraph (b) hereof:

	Size of glass or paper container	
	½ pint	Quart
	Cents	Cents
Grade A milk.....	6	15
Grade A chocolate milk.....	6	15
Grade A buttermilk.....	5½	13

(d) *Definitions.* (1) "Concessionaire" means a person or establishment duly authorized by the United States National Park Service to carry on business or conduct commercial transactions in any one or more of the national parks named in paragraph (b) hereof.

(2) "Grade A milk" means cow's milk containing not less than 3½ percent butterfat and being of a quality that meets the requirements of the terms and provisions of the police regulation commonly referred to as "Standard Milk Ordinance"

(3) "Grade A half and half" means Grade A milk containing not less than 15 percent butterfat content.

(4) "Grade A chocolate milk" means Grade A milk, as hereinabove defined, containing not less than 3.2 percent butterfat content with a variable quantity of chocolate, sweetened or unsweetened, added thereto.

(5) "Grade A buttermilk" means churned or cultured buttermilk produced by churning cream from Grade A milk or by inoculating Grade A skim milk with lactic acid forming bacteria until a lactic acid content of one-half of one percent or more is obtained.

(6) "Wholesale" and "retail" have the same meaning in this order as that given them by definition in the General Maximum Price Regulation.

(e) *Discounts, differentials, and allowances need not be maintained.* The specific maximum prices hereinabove specified for the fluid milk items in question are not subject to any discount, differential, or allowance that the seller may have heretofore customarily maintained.

(f) *Fractional price adjustments.* In computing the price for any fluid milk item, fractions of a cent shall be adjusted upward to the next whole cent if the fraction is one-half cent or more, and shall be adjusted downward to the next whole cent if the fraction is less than one-half cent.

(g) *Term.* The term of this order shall be from the effective date hereof to and including the thirty-first day of October, 1946, at which time this Order No. G-3 shall ipso facto cease and determine.

(h) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(i) *Right to revoke or amend.* This Order No. G-3 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-3 shall become effective as of the 24th day of May 1946.

Issued this 27th day of May 1946.

HAROLD C. HILL,
Acting Regional Administrator

Approved: May 24, 1946.

S. W. TATOR,
Director Dairy Branch, Production and Marketing Administration, U. S. Department of Agriculture.

[F. R. Doc. 46-8935; Filed, May 27, 1946;
4:30 p. m.]